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HANSARD'S

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THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

31° VICTORIÆ, 1867-8.

VOL. CXC.

COMPRISING THE PERIOD FROM

THE NINETEENTH DAY OF NOVEMBER 1867,

TO

THE TWENTIETH DAY OF MARCH 1868.

First Volume of the Session.

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"That, Her Majesty having directed a Military Expedition to be despatched against Abyssinia, consisting mainly of Troops both European and Native at present maintained out of the Revenues of India, the ordinary Pay of such Troops as well as the ordinary Charges of any Vessels belonging to the Government of India that may be employed in the Expedition, which would have been charged upon the Revenues of India if such Troops or Vessels had remained in that Country or Seas adjacent, shall continue to be so chargeable; provided, that if it shall become necessary to replace the Troops or Vessels so withdrawn by other European or Native Forces or Vessels, the Expense of raising, maintaining, and providing such Forces or Vessels shall be repaid out of any Monies which may be provided by Parliament for the Purposes of the said Expedition" 477

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"2. That it is the Opinion of this House that Parliament and Government should aid in the Education of the Middle Classes by providing for the better Administration of Charitable Endowments:

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CHURCH RATES—Question, Mr. Gilpin; Answer, Mr. Gathorne Hardy .. 544

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Motion, "That the Orders of the Day take precedence of Notices of Motion," *agreed to.*

Income Tax Bill [Bill 16]—

Order for Third Reading read 545

After short debate, Bill read the third time, and *passed.*

Totnes, &c. Writs Bill [Bill 20]

Moved, "That the Bill be now read a second time,"—(*Mr. Solicitor General*) 546

After short debate, Bill read a second time, and *committed; considered* in Committee, and *reported* without Amendment.

Moved, "That the Bill be now read a third time"

After short debate, Bill read the third time, and *passed.*

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Moved, "That the House, at rising, do adjourn till *Thursday*."

Roman Catholic Prisoners — Observations, Mr. Maguire:—Short debate thereon 547

Abyssinian Expedition—Mr. Layard, Mr. Rassam, and Dr. Beke—The Recent Debate—Explanation, Mr. Darby Griffith 550

Motion *agreed to*:—House, at rising, to adjourn till *Thursday*.

Remission of Sentences—Motion for an Address—*Moved*,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of all Petitions or Memorials and of all Communications praying for or recommending the suspension, commutation, or remission of sentences of death or of penal servitude, received by the Secretary of State for the Home Department, or at the Home Office, during the six months ending on the 30th day of November and on the 30th day of June of each year, together with Copies of the Signatures attached to such Documents and of the Replies thereto, except Communications between the Secretary of State and the Judges, be presented to Parliament on each of the aforesaid days of each year if Parliament be then sitting; or if Parliament be not sitting, then on the first subsequent day on which Parliament may sit, or on the fifth day of the first Session of a new Parliament,"—(*Mr. Newdegate*) 551

After debate, Motion, by leave, *withdrawn*.

Railway and Gas Shares Bill—

Motion for Leave (*Mr. Waldegrave-Leslie*) 572

After short debate, Motion *agreed to*:—Bill to amend the Law in respect of the sale and purchase of Shares in Railway and Gas Companies, *ordered* (*Mr. Waldegrave-Leslie, Mr. Goldney, Mr. Graham*); *presented*, and read the first time [Bill 23.]

Church Rates Abolition Bill—*Ordered* (*Mr. Hardcastle, Mr. Baines, Mr. Gilpin*); *presented*, and read the first time [Bill 21] 573

Church Rates Regulation Bill—*Ordered* (*Mr. Hubbard, Mr. Beresford Hope*); *presented*, and read the first time [Bill 22] 573

LORDS, WEDNESDAY, DECEMBER 4.

Totnes, &c. Writs Bill (No. 7)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Derby*) .. 573

After short debate, Motion *agreed to*:—Bill read 2ª (according to Order); Committee *negatived*; and Bill to be read 3ª *To-morrow*.

East London Museum Site Bill (No. 2)—

Moved, "That the Standing Orders relative to Private Bills be dispensed with, in order that this Bill be now read a second time,"—(*The Duke of Marlborough*) 574

After short debate, Motion *agreed to*.

Standing Orders relating to Private Bills *considered*, and *dispensed with*.

Bill read 2ª (according to Order), and *committed* for *To-morrow*; and Standing Orders Nos. 37 and 38. to be considered in order to their being dispensed with.

LORDS, THURSDAY, DECEMBER 5.

Railways—Communication Between Drivers and Guards—Question, Lord Stanley of Alderley; Answer, The Duke of Richmond 575

Metropolitan Streets Act (1867) Amendment Bill (No. 4)—

House in Committee (according to Order); Bill *reported*, without Amendment.

Report *considered* 575

After short debate, Bill to be read 3ª *To-morrow*, and to be *printed* as amended (No. 8.)

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ABYSSINIAN EXPEDITION—Paragraph of the Queen's Speech relating to Abyssinia read—

Moved, "That this House do concur in the following Resolution, communicated by the Commons; viz.—

"That, Her Majesty having directed a Military Expedition to be despatched against Abyssinia, consisting mainly of Troops both European and Native at present maintained out of the Revenues of India, the ordinary pay of such Troops as well as the ordinary charges of any Vessels belonging to the Government of India that may be employed in the Expedition, which would have been charged upon the Revenues of India if such Troops or Vessels had remained in that Country or seas adjacent, shall continue to be so chargeable; provided, that if it shall become necessary to re-place the Troops or Vessels so withdrawn by other European or Native Forces or Vessels, the expense of raising, maintaining, and providing such Forces or Vessels shall be repaid out of any monies which may be provided by Parliament for the Purposes of the said Expedition," —(*The Earl of Derby*) 578

After short debate, Motion *agreed to;* and a Message sent to the Commons to acquaint them therewith.

Income Tax Bill—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Derby*) .. 598

After short debate, Motion *agreed to:*—Bill read 2ª accordingly; Committee *negatived,* and Bill to be read 3ª *To-morrow.*

ITALY—THE ROMAN QUESTION—Question, Earl Russell; Answer, The Earl of Derby 599

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CHAMBERS OF COMMERCE — Question, Mr. W. E. Forster; Answer, Mr. S. Cave 606

ABYSSINIA—THE FOREIGN OFFICE — Question, Mr. Wyld; Answer, Lord Stanley 606

Moved, "That the House do now adjourn,"—(*Mr. Osborne*)

After debate, Motion, by leave, *withdrawn.*

POOR LAW—WALSALL WORKHOUSE—Question, Mr. C. Forster; Answer, Mr. Sclater-Booth 631

ARCHITECTURAL REMAINS IN INDIA—Question, Mr. Layard; Answer, Sir Stafford Northcote 631

FOREIGN OFFICE AND THEIR AGENTS ABROAD—Question, Sir Percy Burrell; Answer, Lord Stanley 631

HALIFAX, BERMUDA, AND ST. THOMAS MAILS—RESOLUTION—*Moved,*

"That the Contract entered into with Mr. W. Cunard for the conveyance of Mails between Halifax, Bermuda, and St. Thomas, be approved,"—(*Mr. Hunt*) .. 632

After short debate, Motion *agreed to.*

Public Schools Bill—

Motion for Leave (*Mr. Walpole*) 634

After short debate, Motion *agreed to:*—Bill to make further provision for the good government and extension of certain Public Schools in England, *ordered* (*Mr. Walpole, Sir Stafford Northcote, Mr. Secretary Gathorne Hardy*); *presented,* and read the first time [Bill 24.]

Metropolitan Foreign Cattle Market Bill—

Motion for Leave (*Lord Robert Montagu*) 635

After short debate, Motion *agreed to*:—Bill for the Establishment of a Foreign Cattle Market for the Metropolis; and for other purposes connected therewith, *ordered* (*Lord Robert Montagu, Mr. Hunt*); *presented*, and read the first time [Bill 25.]

LORDS, FRIDAY, DECEMBER 6.

Income Tax Bill—

Order of the Day for the Third Reading read 635

After short debate, Bill read 3ª, and *passed.*

East London Museum Site Bill—Explanation, Lord Redesdale .. 636

COMMONS, FRIDAY, DECEMBER 6.

Estates of the Dean and Chapter of Westminster—Question, Mr. Goldney; Answer, Mr. Mowbray 641

Spain—The "Queen Victoria" — Question, Mr. Darby Griffith; Answer, Lord Stanley 641

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Abyssinia — Presents from King Theodore — Question, Colonel Sykes; Answer, Mr. Hunt 643

Distress in East London—Question, Viscount Enfield; Answer, Mr. Sclater-Booth 644

Ireland—Irish Church Revenues—Question, Sir Patrick O'Brien; Answer, The Earl of Mayo 645

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Abyssinia — Dr. Beke and Mr. Layard — Question, Mr. Newdegate, Mr. Layard; Answer, Lord Stanley 649

Metropolis — Guardians of St. Luke's Parish—Question, Mr. Childers; Answer, Mr. Sclater-Booth 650

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War in the River Plate—Question, Mr. Maguire; Answer, Lord Stanley .. 652

Metropolitan Streets Act (1867) Amendment Bill [Bill 2]—

Lords Amendments to be considered *forthwith*:—Lords Amendments *considered*; read a second time 652

After short debate, Amendment proposed, to leave out the words "in respect of the carriage of lamps by hackney carriages,"—(*Mr. Ayrton.*) .

After further short debate, Question, "That the words proposed to be left out stand part of the said Amendment," put, and *agreed to.*

Lords Amendment *agreed to.*

Adjournment of the House—*Moved*, "That the House, at rising, do adjourn till *To-morrow.*"

Post Office—West India Packet Station—The Island of St. Thomas—Questions, Mr. Gilpin, Mr. Kinnaird; Answer, Mr. Hunt .. 665

Motion *agreed to* :—House, at rising, to adjourn till *To-morrow.*

Supply—Order for Committee read :—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Privilege — Production of Public Documents—Observations, Mr. Darby Griffith; Reply, Mr. Layard 666

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn* :—Committee *deferred* till *Friday*, 14th of February.

Abyssinia—Correspondence between Dr. Beke and others and the Foreign Office—Motion for Papers—*Moved*,

"That an humble address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House a Copy of the Correspondence between Dr. Beke, Mr. Purday, Mr. Palgrave, and the Foreign Office, referred to in the Letter from Dr. Beke to Lord Clarendon, dated the 11th day of June 1866, published in a recent Blue Book,"—(*Mr. Layard*) 668

After short debate, Amendment proposed, at the end of the Question, to add the words—

"And such portions of a Letter, addressed by Dr. Beke to the Secretary of State for Foreign Affairs, dated the 14th day of October 1867, relative to a conversation between him and Mr. Palgrave at Cairo, in December 1865, as bear upon the foregoing Correspondence,"—(*Mr. Newdegate*) 671

Question, "That those words be there added," put, and *negatived.*

Original Question again proposed :—After further short debate, Main Question put, and *agreed to.*

LORDS, SATURDAY, DECEMBER 7.

The House met, and having gone through the business on the Paper without debate, House adjourned to *Thursday*, the 13th day of February next.

COMMONS, SATURDAY, DECEMBER 7.

Ireland—Illegal Processions—Question, Mr. Lanyon; Answer, The Earl of Mayo 675

Abyssinian Expedition—Bounty to Volunteers—Question, Mr. Darby Griffith; Answer, Sir Stafford Northcote 677

Adjournment of the House—*Moved*, "That the House, at rising, do adjourn till *Thursday*, 13th February."

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Postal Service with the United States—Observations, Mr. Ayrton :—Short debate thereon 678

Abyssinia — Correspondence between Dr. Beke and others — Personal Explanation (*Mr. Newdegate*) 687

Motion *agreed to* :—House, at rising, to adjourn till Thursday, 13th February.

Public Departments (Extra Receipts) Bill—*Ordered* (*Mr. Hunt, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 26] 688

House adjourned till Thursday, 13th February.

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A Bill to amend the Law relating to Promissory Oaths—*Presented* (*The Lord Chancellor*); read 1ª (No. 10) 689

PRIVATE BILLS—

Ordered, That this House will not receive any Petition for a Private Bill after *Monday* the 23rd *of March* next, unless such Private Bill shall have been approved by the Court of Chancery; nor any Petition for a Private Bill approved by the Court of Chancery after *Monday* the 11*th of May* next:

Ordered, That this House will not receive any Report from the Judges upon Petitions presented to this House for Private Bills after *Monday* the 11*th of May* next:

Ordered, That the said Orders be *printed* and published, and affixed on the Doors of this House and Westminster Hall (No. 9) 689

COMMONS, THURSDAY, FEBRUARY 13.

SCOTCH AND IRISH REFORM BILLS—Questions, Mr. Baxter, Sir Henry Winston-Barron; Answers, The Chancellor of the Exchequer 690

OUR RELATIONS WITH AMERICA—Question, Mr. Watkin; Answer, Lord Stanley 690

Metropolitan Foreign Cattle Market Bill [Bill 25]—

Order for Second Reading read 690

After short debate, Bill read a second time, and *committed* to a Select Committee of Ten Members, Five to be nominated by the House, and Five by the Committee of Selection.

Public Departments (Extra Receipts) Bill [Bill 26]—

Moved, "That the Bill be now read a second time,"—(*Mr. Hunt.*) .. 692

Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Election Petitions and Corrupt Practices at Elections Bill—

Motion for Leave (*Mr. Chancellor of the Exchequer*) 693

After debate, Motion *agreed to*:—Bill for amending the Laws relating to Election Petitions, and providing more effectually for the prevention of Corrupt Practices at Parliamentary Elections, *ordered* (*Mr. Chancellor of the Exchequer, Mr. Secretary Gathorne Hardy, Sir Stafford Northcote*); *presented*, and read the first time [Bill 27.]

LORDS, FRIDAY, FEBRUARY 14.

Their Lordships met; and having gone through the Business on the Paper without debate, House adjourned.

COMMONS, FRIDAY, FEBRUARY 14.

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ARMY—DISTINGUISHED SERVICE MAJORS—Question, Sir Charles Russell; Answer, Sir John Pakington 733

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

EDUCATION—Question, Observations, Mr. W. E. Forster, 734; Answer, The Chancellor of the Exchequer 741

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Public Schools Bill [Bill 24]—

Moved, "That the Bill be now read a second time,"—(*Mr. Walpole*) .. 742

After long debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Thursday*, 27th February.

Habeas Corpus Suspension (Ireland) Act Continuance Bill—

Motion for Leave (*The Earl of Mayo*) 775

After short debate, Motion *agreed to*:—Bill to further continue the Act of the twenty-ninth year of the reign of Her present Majesty, chapter one, intituled "An Act to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain for a limited time such persons as he or they shall suspect of conspiring against Her Majesty's Person and Government," *ordered* (*The Earl of Mayo, Mr. Secretary Gathorne Hardy, Mr. Attorney General*); *presented*, and read the first time [Bill 28.]

PUBLIC ACCOUNTS—Committee of Public Accounts *nominated*:—List of the Committee 787

LORDS, MONDAY, FEBRUARY 17.

HARBOUR AND COAST DEFENCES—Question, The Earl of Airlie, 787; Answer, The Earl of Longford 792

East London Museum Site Bill (No. 12)—

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The Report of the Amendments to be received *To-morrow*.

Registration of Writs (Scotland) Bill [H.L.]—*Presented* (*The Lord Colonsay*); read 1ª (No. 15) 793

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COMMONS, MONDAY, FEBRUARY 17.

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Habeas Corpus Suspension (Ireland) Act Continuance Bill [Bill 28]—

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After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow*.

Parliamentary Reform—Representation of the People (Scotland) Bill—

Motion for Leave (*The Lord Advocate*) 811

After long debate, Motion *agreed to*:—Bill for the amendment of the Representation of the People in Scotland, *ordered* (*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson*); *presented*, and read the first time [Bill 29.]

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And, on February 19, Committee *nominated*:—List of the Committee.

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LORDS, TUESDAY, FEBRUARY 18.

Promissory Oaths Bill (No. 10)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 851

After short debate, Motion *agreed to*:—Bill read 2ª accordingly; and referred to a Select Committee.

And, on February 20, Committee *nominated*:—List of the Committee .. 858

East London Museum Site Bill (No. 12)—

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After short debate, *Moved*, "That the Debate be adjourned,"—(*Mr. C. Forster*) 883

After further short debate, Motion *agreed to*:—Debate *adjourned* till *Tuesday*, 3rd March.

SCOTLAND—TOLLS ON THE BRIDGE OF DUNKELD—Question, Mr. Baxter; Answer, The Lord Advocate 885

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INDIA—IRRIGATION WORKS—Question, Mr. Kinnaird; Answer, Sir Stafford Northcote 890

ADMIRALTY MONIES AND ACCOUNTS—*Moved*,

"That a Select Committee be appointed to inquire and report (1st) as to the application of Monies voted by Parliament for the use of the Admiralty; and (2ndly) as to the Accounts of the Department, and more especially as to the method in which they should be prepared for presentation to this House,"—(*Mr. Seely*) 890

After debate, Motion amended, and *agreed to*.

And, on March 9, Committee *nominated*:—List of the Committee .. 924

SPECIAL AND COMMON JURIES—*Moved*,

"That a Select Committee be appointed to inquire and take evidence as to the Law and practice relating to the summoning, attendance, and remuneration of Special and Common Juries, and to report to the House as to any alterations which ought to be made therein,"—(*Viscount Enfield*) 924

Motion *agreed to*:—And, on March 11, Committee *nominated*:—List of the Committee 926

Oxford and Cambridge Universities Bill [Bill 30]—

Considered in Committee 926

After short time spent therein,

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to repeal certain Tests and alter certain Statutes affecting the Constitution of the Universities of Oxford and Cambridge.

Resolution *reported*:—Bill *ordered* (*Mr. Coleridge, Mr. Bouverie, Mr. Grant Duff*); *presented*, and read the first time [Bill 30.]

Sale of Liquors on Sunday (Ireland) Bill—

Motion for Leave (*The O'Conor Don*) 926

Motion *agreed to*:—Bill for further regulating the Sale of fermented and distilled Liquors by retail on Sunday in Ireland, *ordered* (*Major O'Reilly, Lord Cremorne, Mr. Pim*); *presented*, and read the first time [Bill 31.]

Landed Property Improvement (Ireland) Bill—

Motion for Leave (*Mr. Pim*) 928

After short debate, Motion *agreed to*:—Bill further to amend the Law relating to the Tenure and Improvement of Land in Ireland, *ordered* (*Mr. Pim, Mr. O'Beirne*); *presented*, and read the first time [Bill 32.]

Industrial Schools (Ireland) Bill [Bill 6]—

Moved, "That the Bill be now read a second time,"—(*The O'Conor Don*) .. 930

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday*, 25th March.

Habeas Corpus Suspension (Ireland) Act Continuance Bill [Bill 28]—

Bill *considered* in Committee 932
After short time spent therein, Bill *reported,* without Amendment; to be read the third time *To-morrow.*

County Courts (Admiralty Jurisdiction) Bill—*Ordered* (*Mr. Norwood, Mr. Headlam, Mr. Candlish*); *presented,* and read the first time [Bill 33] 940

Judgments Extension Bill—*Ordered* (*Mr. Craufurd, Mr. Huddleston, Mr. Moncreiff, Mr. Dunlop*); *presented,* and read the first time [Bill 34] 940

Fines and Fees (Ireland) Bill—*Ordered* (*Mr. Hunt, Mr. Chancellor of the Exchequer*); *presented,* and read the first time [Bill 35] 940

COMMONS, WEDNESDAY, FEBRUARY 19.

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Bank Holydays Bill [Bill 15]—

Moved, "That the Bill be now read a second time,"—(*Sir Colman O'Loghlen*) 941
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* to a Select Committee.

Life Policies Nomination Bill [Bill 19]—

Moved, "That the Bill be now read the second time,"—(*Mr. Shaw-Lefevre*) 952
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Compulsory Church Rates Abolition Bill [Bill 13]—

Moved, "That the Bill be now read a second time,"—(*Mr. Gladstone*) .. 957
After long debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday,* 11th March.

Habeas Corpus Suspension (Ireland) Act Continuance Bill [Bill 28]—

Moved, "That the Bill be now read the third time,"—(*Mr. G. Hardy*) .. 982
After short debate, Motion *agreed to*:—Bill read the third time, and *passed.*

Army—Wooden Huts for Troops—Motion for an Address—*Moved,*

That an humble Address be presented to Her Majesty for "Copy of all Correspondence between Government and the Medical Men or Officers in the command of Regiments stationed at Aldershot, Shorncliffe, and Colchester, as to the impolicy and hardship of keeping in Wooden Huts, during this severe winter, old rheumatic soldiers from hot climates and young recruits,"—(*Colonel French*) 982

After short debate, Motion *agreed to.*

Parliament — House of Commons (Arrangements) — Motion for a Select Committee—*Moved,*

That a Select Committee be appointed, "to consider whether any alteration can be made in the arrangements of the House of Commons, so as to enable a greater number of Members to hear and take part in the proceedings; and to consider the arrangement of the several rooms and offices attached to the House, and the means of access to the same, with a view to the greater convenience of Members in the discharge of their duties, and how better accommodation can be provided within the precincts of the House for the transaction of Departmental Business, during the Sittings of the House, by Members holding Offices in the Government,"—(*Mr. Headlam*) 983

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Abyssinian Expedition — Questions, Mr. Whalley, Mr. Darby Griffith; Answers, The Chancellor of the Exchequer 988

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Plymouth Breakwater Fort — Question, Mr. O'Beirne; Answer, Sir John Pakington 990

Army — Fever in the Mauritius — Question, Mr. Whalley; Answer, Sir John Pakington 991

The Army Estimates—Question, Captain Vivian; Answer, Sir J. Pakington 992

Ecclesiastical Titles Bill—

Motion for Leave (*Mr. MacEvoy*) 992

After short debate, Motion *agreed to*:—Bill to repeal the Act of the fourteenth and fifteenth Victoria, chapter sixty, intituled, "An Act to prevent the Assumption of certain Ecclesiastical Titles in respect of Places in the United Kingdom," and of Section Twenty-four of the Act of the tenth George the Fourth, chapter seven, *ordered* (*Mr. MacEvoy, Sir Joseph M'Kenna, Mr. Leader*); *presented*, and read the first time [Bill 37.]

Ireland—Shannon River—Motion for a Select Committee—*Moved*,

That a Select Committee be appointed, "to inquire into the manner in which the drainage and navigation of the River Shannon has been carried out under the direction of Her Majesty's Government, and what steps should be taken to complete the work for which a compulsory levy of £300,000 has been made on the adjoining counties,"—(*Colonel French*) 994

After short debate, Motion *agreed to*:—And, on March 17, Committee *nominated*:—List of the Committee.

Capital Punishment within Prisons Bill—

Motion for Leave (*Mr. Gathorne Hardy*) 995

After short debate, Motion *agreed to*:—Bill to provide for carrying out of Capital Punishment within Prisons, *ordered* (*Mr. Secretary Gathorne Hardy, Mr. Walpole, Mr. Attorney General*); *presented*, and read the first time [Bill 36.]

Lee River Conservancy Bill—

Motion for Leave (*Mr. Stephen Cave*) 997

After short debate, Motion *agreed to*:—Bill to make better provision for the Preservation and Improvement of the River Lee and its Tributaries; and for other purposes, *ordered* (*Mr. Stephen Cave, Mr. Ayrton, Mr. Hunt*); *presented*, and read the first time [Bill 38.]

Railways (Extension of Time) Bill—

Motion for Leave (*Mr. Stephen Cave*) 1000

After short debate, Motion *agreed to*:—Bill to give further time for making certain Railways, *ordered* (*Mr. Stephen Cave, Mr. Hunt*); *presented*, and read the first time [Bill 39.]

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Sunday Trading (Metropolis) Bill—*Ordered* (*Mr. Thomas Hughes, Lord Claud Hamilton, Mr. Lusk*); *presented,* and read the first time [Bill 40] 1002

Metropolis Subways Bill—*Ordered* (*Mr. Ayrton, Mr. Tite, Colonel Hogg*); *presented,* and read the first time [Bill 41] 1002

LORDS, FRIDAY, FEBRUARY 21.

Their Lordships met; and having gone through the business on the Paper without debate, House adjourned.

COMMONS, FRIDAY, FEBRUARY 21.

SPAIN — THE "QUEEN VICTORIA" — Question, Mr. Darby Griffith; Answer, Lord Stanley 1002

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SCOTLAND — BURNTISLAND AND GRANTON FERRY — Question, Mr. Aytoun; Answer, Mr. Stephen Cave 1004

METROPOLITAN POLICE—Question, Viscount Enfield; Answer, Mr. G. Hardy 1004

THE ABYSSINIAN EXPEDITION — Question, Colonel Sykes; Answers, Lord Stanley, Sir Stafford Northcote 1005

ARMY—FEVER IN THE MAURITIUS—Question, Mr. Whalley; Answer, Sir John Pakington 1006

MEXICO—OUR DIPLOMATIC RELATIONS — Question, Mr. T. Baring; Answer, Lord Stanley 1007

INDIA—BANDA AND KIRWEE PRIZE MONEY—Question, Mr. Neville-Grenville; Answer, Sir Stafford Northcote 1008

TELEGRAPHIC COMMUNICATION WITH INDIA—Question, Captain Vivian: Answer, Sir Stafford Northcote 1008

COMMITTEE OF SELECTION—Committee of Selection *nominated:*—List of the Committee 1011

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

LOCAL TAXATION—Observations, Mr. Goschen:—Long debate thereon .. 1011

[House counted out.]

LORDS, MONDAY, FEBRUARY 24.

NAVY—IRON BALLAST IN THE DOCKYARDS—Observations, The Duke of Somerset 1038

Court of Appeal Chancery (Despatch of Business) Amendment Bill [H.L.]—

A Bill to amend an Act to make further Provision for the Despatch of Business in the Court of Appeal in Chancery—*Presented* (*The Lord St. Leonards*); and, after short debate, read 1^a (No. 20) 1038

Tenure (Ireland) Bill [H.L.]—

A Bill to provide a simple Law of Tenure in Ireland—*Presented* (*The Lord Somerhill*); and, after short debate, read 1^a (No. 23) 1039

Habeas Corpus Suspension (Ireland) Act Continuance Bill (No. 18)—

Moved, "That the Bill be now read 2^a,"—(*The Earl of Malmesbury*) .. 1053

After long debate, Motion *agreed to:*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

Private Bills—Standing Order Committee on, *appointed* and *nominated:*—List of the Committee 1070

Private Bills—All Petitions relating to Standing Orders which shall be presented during the present Session *referred* to the Standing Order Committee unless otherwise ordered 1070

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Postal—Mr. Churchward—Question, Mr. Taylor; Answer, Mr. Hunt .. 1072

India—Madras Irrigation Company—Question, Mr. Smollett; Answer, Sir Stafford Northcote 1073

Public Schools Bill—Question, Mr. Ayrton; Answer, Mr. Walpole .. 1073

Weights and Measures (Metric System) Bill—

Motion for Leave (*Mr. Ewart*) 1074

After short debate, Motion *agreed to:*—Bill to establish the Metric System of Weights and Measures, *ordered* (*Mr. Ewart, Mr. Bazley, Mr. Baines, Mr. John Benjamin Smith, Mr. Graves*); *presented,* and read the first time [Bill 44.]

Sea Fisheries Bill—

Motion for Leave (*Mr. Stephen Cave*) 1074

After short debate, Motion *agreed to:*—Bill to carry into effect a Convention between Her Majesty and the Emperor of the French concerning the Fisheries in the Seas adjoining the British Islands and France, and to amend the Laws relating to British Sea Fisheries, *ordered* (*Mr. Stephen Cave, Mr. Edward Egerton, Mr. Shaw-Lefevre*); *presented,* and read the first time [Bill 42.]

Registry of Deeds Office (Ireland)—Motion for a Select Committee—

Moved, That a Select Committee be *appointed,* "to inquire into the legal application of the surplus fines in the Office of the Registry of Deeds, Ireland,"—(*General Dunne*) 1077

After short debate, Question put, and *negatived.*

London Coal and Wine Duties Continuance Bill—

Considered in Committee 1079

Resolution *agreed to:*—Bill *ordered* (*Mr. Dodson, Lord John Manners, Mr. Hunt*); *presented,* and read the first time [Bill 43.]

Metropolis Gas Bills—Resolution—

Moved, "That all Bills relating to Gas Companies in the Metropolis be referred to a Select Committee of Five Members,"—(*Mr. Ayrton*) .. 1080

Motion *agreed to.*

Court of Session (Scotland) Bill—

Motion for Leave (*The Lord Advocate*) 1081

After debate, Motion *agreed to:*—Bill to amend the procedure in the Court of Session and the Judicial Arrangements in the Superior Courts of Scotland, *ordered* (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Mr. Attorney General*); *presented,* and read the first time [Bill 45.]

Court of Justiciary (Scotland) Bill—

Motion for Leave (*The Lord Advocate*) 1094

After short debate, Motion *agreed to:*—Bill to amend the procedure in the Court of Justiciary in Scotland, *ordered* (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Mr. Attorney General*); *presented,* and read the first time [Bill 46.]

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After short debate, Motion *agreed to*:—House, at rising, to adjourn till *Thursday.*

COMMONS, TUESDAY, FEBRUARY 25.

RESIGNATION OF THE EARL OF DERBY—MINISTERIAL STATEMENT—
Moved, "That the House, at its rising, do adjourn until *Friday* next,"—(*Lord Stanley*) 1097
After short debate, Motion *agreed to*:—House, at rising, to adjourn till *Friday.*

LORDS, THURSDAY, FEBRUARY 27.

Their Lordships met; and having gone through the business on the Paper without debate, House adjourned.

LORDS, FRIDAY, FEBRUARY 28.

BUSINESS OF THE HOUSE—Question, Lord Stanley of Alderley; Answer, The Lord Chancellor 1099
On Motion of The Duke of Richmond, House adjourned to Thursday next.

COMMONS, FRIDAY, FEBRUARY 28.

RE-CONSTRUCTION OF THE MINISTRY—MINISTERIAL STATEMENT—
Moved, "That the House, at its rising, do adjourn until *Thursday* next,"—(*Lord Stanley*) 1100
After short debate, Motion *agreed to*:—House, at rising, to adjourn till *Thursday* next.

PUBLIC SCHOOLS BILL—Question, Mr. Newdegate; Answer, Mr. Walpole .. 1101

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THE APPROPRIATION ACT IN VICTORIA—MOTION FOR AN ADDRESS—*Moved,*
That an humble Address be presented to Her Majesty for Copy or Extract of further Correspondence respecting and arising from the Non-enactment of the Appropriation Act in Victoria and the Recall of the Governor of the Colony, since the Letter from the Right Honourable C. B. Adderley, M.P., to Sir C. Darling, K.C.B., dated 7th March 1867, with the Enclosure,—(*The Lord Lyveden*) 1108
Motion *agreed to.*

TENURE (IRELAND) BILL—Question, The Earl of Malmesbury; Answer, The Marquess of Clanricarde 1108

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Metropolitan Tramways Bill (*by Order*)—

Moved, “That the Bill be now read a second time” 1109

Amendment proposed, to leave out the word “now,” and at the end of the Question to add the words “upon this day six months,”—(*Mr. Harvey Lewis* :)—After short debate, Question, “That the word ‘now’ stand part of the Question,” put, and *negatived* :—Words *added* :—Main Question, as amended, put, and *agreed to* :—Bill *put off* for six months.

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IRELAND — POLICE BARRACKS — Question, Lord Otho Fitzgerald; Answer, The Earl of Mayo 1113

NAVY — GREENWICH HOSPITAL, &c. — Question, Mr. Seely; Answer, Lord Henry Lennox 1114

POSTAGE FROM ABYSSINIA—Question, Mr. Butler; Answer, Mr. Sclater-Booth 1115

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TURKEY—THE VICE CONSUL AT CRETE—Question, Mr. Grant Duff; Answer, Lord Stanley 1116

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Moved, “That the House do now adjourn,”—(*Mr. Bouverie.*)

After short debate, Motion, by leave, *withdrawn.*

Capital Punishment within Prisons Bill [Bill 36]—

Moved, “That the Bill be now read a second time,”—(*Mr. Gathorne Hardy*) 1127

Amendment proposed to leave out the word “now,” and at the end of the Question to add the words “upon this day six months,”—(*Mr. Serjeant Gaselee* :)—After debate, Question put, “That the word ‘now’ stand part of the Question:”—The House *divided;* Ayes 181, Noes 25; Majority 156:—Main Question put, and *agreed to* :—Bill read a second time, and *committed* for *Thursday,* 19th March.

Election Petitions and Corrupt Practices at Elections Bill [Bill 27]—

Moved, “That the Bill be now read a second time,”—(*Mr. Disraeli*) .. 1141

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Thursday* next.

London Coal and Wine Duties Continuance Bill [Bill 43]—

Moved, “That the Bill be now read a second time,”—(*Lord John Manners*) 1144

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Thursday,* 19th March.

Sale of Liquors on Sunday (Ireland) Bill [Bill 31]—

Moved, “That the Bill be now read a second time,”—(*Mr. O'Reilly*) .. 1144

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* to a Select Committee.

And, on March 16, Select Committee *nominated* :—List of the Committee.

Fairs (Ireland) Bill—

Motion for Leave (*The Earl of Mayo*) 1146

Motion *agreed to* :—Bill to facilitate the alteration of days upon which Fairs are now held in Ireland, *ordered* (*The Earl of Mayo, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 48.]

Metropolis Gas Bill—*Ordered* (*Mr. Morrison, Mr. Locke, Mr. Gorst*); *presented,* and read the first time [Bill 49] 1147

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Registration of Writs (Scotland) Bill [H.L.]—

Moved, "That the Bill be now read 2^a,"—(*The Lord Colonsay*) .. 1147

Motion *agreed to* :—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

ARMY—THE SHRAPNEL SHELL—

Petition *presented* (*The Earl of Cardigan*) 1147

Petition *ordered* to lie on the table.

COMMONS, FRIDAY, MARCH 6.

SCOTLAND—LAW OF HYPOTHEC—Question, Mr. Fordyce; Answer, Mr. Carnegie 1149

CHINA—TREATY OF TIEN-TSIN—Question, Mr. Osborne; Answer, Lord Stanley 1149

METROPOLIS—NEW PALACE YARD—Question, Mr. Thomson Hankey; Answer, Lord John Manners 1150

SUPPLY — Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE "ALABAMA" CLAIMS—MOTION FOR AN ADDRESS—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words " an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of any further Papers relative to the Negotiations with the United States Government for Arbitration of the Alabama Claims,"—(*Mr. Shaw-Lefevre,*)—instead thereof .. 1150

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment, by leave, *withdrawn.*

REPRESENTATION OF THE PEOPLE (IRELAND) BILL—Question, Mr. Chichester Fortescue; Answer, Mr. Disraeli:—Debate thereon 1189

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn* :—Committee *deferred* till *Monday* next.

County Financial Boards Bill—

Motion for Leave (*Sir William Gallwey*) 1206

Motion *agreed to* :—Bill to establish County Financial Boards, *ordered* (*Sir William Gallwey, Mr. Hartley*); *presented,* and read the first time [Bill 51.]

ARMY (INDIA AND THE COLONIES)—

Select Committee *appointed,* "to inquire into the duties performed by the British Army in India and the Colonies, and also how far it might be desirable to employ certain portions of Her Majesty's Native Indian Army in our Colonial and Military dependencies, or to organize a force of Asiatic Troops for general service in suitable climates,"—(*Major Anson*) 1207

And, on March 19, Committee *nominated* :—List of the Committee.

County Financial Boards (No. 2) Bill—*Ordered* (*Mr. Wyld, Mr. Hodgkinson*); *presented,* and read the first time [Bill 52] 1207

Divorce and Matrimonial Causes Court Bill—*Ordered* (*Mr. Charles Forster, Mr. Headlam, Mr. Karslake*); *presented,* and read the first time [Bill 50] .. 1207

LORDS, MONDAY, MARCH 9.

Ecclesiastical Commissioners Orders in Council Bill [H.L.]—

A Bill for declaring valid certain Orders of Her Majesty in Council relating to the Ecclesiastical Commissioners for England and to the Deans and Chapters of certain Churches—*Presented* (*The Lord Chancellor*); read 1^a (No. 33) 1208

RAILWAYS (IRELAND)—MOTION FOR AN ADDRESS—*Moved*,
"That an humble Address be presented to Her Majesty for, A Copy of the Instructions issued to the Commissioners appointed to inquire into the State and Value of the Railways of Ireland,"—(*The Marquess of Clanricarde*) 1209
After short debate, Motion (by Leave of the House) *withdrawn*.

NAVY—ROYAL DOCKYARDS—Motion for,
"Return of the Number of Tons of Iron Ballast sold from the Royal Dockyards since January 1867 :—Amount of Money received for this Iron, and paid into Treasury,"—(*The Duke of Somerset*) 1212
Return *ordered* to be laid before the House.

Bankruptcy Acts Repeal Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 30) 1214

Bankruptcy Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 31) .. 1214

Judgment Debtors Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 32) 1214

Regulation of Railways Bill [H.L.]—*Presented* (*The Duke of Richmond*); read 1ª (No. 34) 1214

COMMONS, MONDAY, MARCH 9.

ARMY—RETIREMENTS FROM THE ROYAL ARTILLERY, &c.—Question, Mr. Childers; Answer, Sir John Pakington 1214

FENIANISM—THE ATTACK ON CLERKENWELL PRISON—Question, Mr. Harvey Lewis; Answer, Mr. Gathorne Hardy 1215

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NAVY—IRON BALLAST IN DOCKYARDS—Question, Mr. Baxter; Answer, Mr. Corry 1219

SEWAGE OBSTRUCTIONS IN THE RIVER—Question, Lord Eustace Cecil; Answer, Mr. Gathorne Hardy 1220

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METROPOLIS—THE ORNAMENTAL WATER IN REGENT'S PARK—Question, Mr. Harvey Lewis; Answer, Lord John Manners 1221

ARMY—THE FORTIFICATIONS AT CHATHAM—Question, Colonel Sykes; Answer, Sir John Pakington 1221

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THE CHINESE EMBASSY—Question, Mr. Osborne; Answer, Lord Stanley .. 1224

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ARMY—BREECH-LOADING RIFLES—Question, Sir Charles Russell; Answer, Sir John Pakington 1225

POSTAL—MAILS TO MALTA—Question, Sir George Bowyer; Answer, Mr. Sclater-Booth 1226

THE CATTLE PLAGUE IN NORFOLK — Question, Colonel North; Answer, Lord Robert Montagu 1226

Fines and Fees (Ireland) Bill [Bill 35]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1227

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*General Dunne.*)

After short debate, Question, "That the word 'now' stand part of the Question," put, and *negatived* : — Words *added* :—Main Question, as amended, put, and *agreed to* :—Bill *put off* for six months.

Parliamentary Reform—Representation of the People (Scotland) Bill [Bill 29]—

Moved, "That the Bill be now read a second time,"—(*The Lord Advocate*) 1234

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Hadfield.*)

Question proposed, "That the word 'now' stand part of the Question:"—After debate, Amendment, by leave, *withdrawn* :—Main Question put, and *agreed to* :—Bill read a second time, and *committed* for *Monday* 23rd March.

Sea Fisheries Bill [Bill 42]—

Order for Committee read 1269

After short debate, Bill *considered* in Committee: after short time spent therein, Committee report Progress; to sit again upon *Thursday*.

Metropolis Subways Bill [Bill 41]—

Moved, "That the Bill be now read a second time,"—(*Mr. Ayrton*) .. 1278

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for Wednesday 22nd April.

Railways and Joint Stock Companies Bill—

Motion for Leave (*Sir William Hutt*) 1280

After short debate, Motion *agreed to* :—Bill for the better regulation and the supervision by the Board of Trade of the Accounts of Railway and other Joint Stock Companies, *ordered* (*Sir William Hutt, Mr. Ellice*); *presented*, and read the first time [Bill 53.]

Oyster and Mussel Fisheries Bill—

Motion for Leave (*Mr. Stephen Cave*) 1280

Motion *agreed to* :—Bill to confirm certain Orders made by the Board of Trade under "The Oyster and Mussel Fisheries Act, 1866," relating to the Rivers Blackwater (Essex) and Hamble, *ordered* (*Mr. Stephen Cave, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 54.]

Land Writs Registration (Scotland) Bill—

Motion for Leave (*The Lord Advocate*) 1282

Motion *agreed to* :—Bill to improve the system of Registration of Writs relating to Heritable Property in Scotland, *ordered* (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Mr. Walpole*); *presented*, and read the first time [Bill 56.]

Titles to Land Consolidation (Scotland) Bill—

Motion for Leave (*The Lord Advocate*) 1283

Motion *agreed to* :—Bill to consolidate the Statutes relating to the constitution and completion of Titles to Heritable Property in Scotland; and to make certain changes in the Law of Scotland relating to Heritable Rights, *ordered* (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir Graham Montgomery*); *presented*, and read the first time [Bill 57.]

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Ecclesiastical Buildings and Glebes (Scotland) Bill—

Motion for Leave (*The Lord Advocate*) 1285

Motion *agreed to*:—Bill to amend the procedure in regard to Ecclesiastical Buildings and Glebes in Scotland, *ordered* (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir Graham Montgomery*); *presented*, and read the first time [Bill 58.]

Indian Railway Companies Bill—*Ordered* (*Sir Stafford Northcote, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 55] 1285

LORDS, TUESDAY, MARCH 10.

Their Lordships met; and having gone through the business on the Paper, without debate, House adjourned.

COMMONS, TUESDAY, MARCH 10.

CONTAGIOUS DISEASES—Question, Mr. Waldegrave-Leslie; Answer, Lord Robert Montagu 1286

SCOTLAND — AGRICULTURAL LABOURERS' DWELLINGS — Question, Mr. Fordyce; Answer, The Lord Advocate 1287

CATTLE PLAGUE REPORTS—Question, Mr. Evans; Answer, Lord R. Montagu 1287

STATE OF IRELAND—MOTION FOR A COMMITTEE—*Moved*,

"That this House will immediately resolve itself into a Committee, with the view of taking into consideration the condition and circumstances of Ireland,"—(*Mr. Maguire*) .. 1288

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the constant recurrence of impracticable resolutions and the proposal or suggestion of extravagant and impossible remedies are the great obstacles to the restoration of peace in Ireland, and to the prosperity of the Irish people,"—(*Mr. Neate*,)—instead thereof 1314

Question proposed, "That the words proposed to be left out stand part of the Question:"—Amendment, by leave, *withdrawn*.

Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "before the consideration by this House of constitutional changes in the laws and institutions of Ireland, it is both just and expedient to inquire into the causes of alleged discontent, and the best mode of remedying the same,"—(*Sir Frederick Heygate*,)—instead thereof 1323

Question proposed, "That the words proposed to be left out stand part of the Question."

After long debate, *Moved*, "That the Debate be adjourned till *Thursday*,"—(*Mr. Horsman*:)—Motion *agreed to*:—Debate *adjourned* till *Thursday*.

COVENTRY ELECTION—Report from the General Committee of Elections:—List of the Committee 1396

POOR RATES ASSESSMENT, &c.—

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MALT TAX—

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And, on March 16, Committee *nominated*:—List of the Committee.

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Church Rates Regulation Bill [Bill 22]—

Moved, "That the Bill be now read a second time,"—(*Mr. Hubbard*) .. 1398

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon Wednesday the 8th day of April next,"—(*Mr. Hardcastle*) 1407

Question proposed, "That the word 'now,' stand part of the Question:"—After short debate, Amendment and Motion, by leave, *withdrawn*:—Second Reading *deferred* till *Wednesday* 8th April.

Compulsory Church Rates Abolition Bill [Bill 13]—

Bill *considered* in Committee 1415

After long time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed* [Bill 59.]

Artizans' and Labourers' Dwellings Bill [Bill 1]—

Moved, "That the Bill be now read a second time" 1431

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday* 1st April.

Canongate Annuity Tax Bill—*Ordered* (*Mr. M'Laren, Mr. Dunlop, Mr. Baxter*); *presented,* and read the first time [Bill 60] 1432

LORDS, THURSDAY, MARCH 12.

Tenure (Ireland) Bill [H.L.] (No. 23)—

Moved, "That the Bill be now read 2^a,"—(*The Marquess of Clanricarde*) .. 1432

After debate, Motion *agreed to*:—Bill read 2^a accordingly, and *referred* to a Select Committee:—And, on March 13, Select Committee *nominated:*—List of the Committee 1590

Non-Traders Bankruptcy (Ireland) Bill [H.L.]—*Presented* (*The Marquess of Clanricarde*; read 1^a (No. 38) 1448

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BABY FARMING IN THE METROPOLIS—Question, Mr. Vanderbyl; Answer, Mr. Gathorne Hardy 1449

JURIES "DE MEDIETATE LINGUÆ"—Question, Mr. Gregory; Answer, The Attorney General 1449

POOR LAW VAGRANCY—Question, Mr. Waldegrave-Leslie; Answer, Mr. G. Hardy 1450

PARLIAMENT—STATUE TO OLIVER CROMWELL—Question, Mr. Candlish; Answer, Lord John Manners 1450

IRELAND—REVISION OF THE IRISH ORDNANCE MAP—Question, Mr. Stacpoole; Answer, Mr. Stephen Cave 1451

IRELAND—ROYAL IRISH ACADEMY—Question, Mr. Gregory; Answer, The Earl of Mayo 1452

IRELAND—LEASEHOLD PROPERTY—Question, Mr. Gregory; Answer, The Earl of Mayo 1452

ARMY—CAVALRY ENLISTMENT—Question, Mr. Bagwell; Answer, Sir John Pakington 1453

POOR LAW—BETHNAL GREEN WORKHOUSE—Question, Mr. Sherriff; Answers, Mr. Gathorne Hardy, Mr. Sclater-Booth 1453

METROPOLIS—BURLINGTON HOUSE—Question, Mr. Layard; Answer, Lord John Manners 1454

SPAIN—THE "TORNADO"—Question, Mr. Alderman Lusk; Answer, Lord Stanley 1455

IRELAND—PROPOSED ROMAN CATHOLIC UNIVERSITY—Question, Mr. Fawcett; Answer, The Earl of Mayo 1456

ARMY—REPORT OF ORDNANCE SELECT COMMITTEE—Question, Mr. Hanbury-Tracy; Answer, Sir John Pakington 1456

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ARMY—THE "GIBRALTAR SHIELD"—Question, Mr. O'Beirne; Answer, Sir John Pakington 1456

THE IRISH CHURCH COMMISSIONERS—Question, Mr. M'Cullagh Torrens; Answer, Mr. Clive 1457

SPAIN AND CHILE—Question, Mr. Weguelin; Answer, Lord Stanley .. 1458

STATE OF IRELAND—MOTION FOR A COMMITTEE—

Order read for resuming Adjourned Debate on Amendment proposed to Question [10th March]—

"That this House will immediately resolve itself into a Committee, with the view of taking into consideration the condition and circumstances of Ireland,"—(*Mr. Maguire:*)

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "before the consideration by this House of constitutional changes in the laws and institutions of Ireland, it is both just and expedient to inquire into the causes of alleged discontent, and the best mode of remedying the same,"—(*Sir Frederick Heygate,*) —instead thereof 1458

Question again proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Debate *further adjourned* till *To-morrow.*

Renewable Leasehold Conversion (Ireland) Act Extension Bill—*Ordered* (*Mr. Gregory, Mr. George Morris*); *presented,* and read the first time [Bill 61] .. 1549

LORDS, FRIDAY, MARCH 13.

REFORM ACT, 1867—RATEPAYING CLAUSES—Question, Observations, The Duke of Argyll; Answer, The Lord Chancellor:—Long debate thereon .. 1550

Poor Relief Bill [H.L.]—*Presented* (*The Earl of Devon*); read 1ª (No. 39) .. 1590

Tenure (Ireland) Bill [H.L.]—Committee *nominated*:—List of the Committee .. 1590

COMMONS, FRIDAY, MARCH 13.

QUEENSLAND—LABOURERS FROM THE SOUTH SEA ISLANDS—Question, Mr. Taylor; Answer, Mr. Adderley 1590

SCOTLAND—EDUCATION—Question, Mr. Craufurd; Answer, The Lord Advocate 1591

IRELAND—PARTY PROCESSIONS—Questions, Colonel Stuart Knox, Mr. Darby Griffith; Answers, The Earl of Mayo 1591

ARMY—THE ROYAL MILITARY COLLEGE—Question, Colonel Annesley; Answer, Sir John Pakington 1594

NAVY—THE DOCKYARD COMMISSION—Question, Mr. Childers; Answer, Lord Henry Lennox 1595

STATE OF IRELAND—MOTION FOR A COMMITTEE—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [10th March]—

"That this House will immediately resolve itself into a Committee, with the view of taking into consideration the condition and circumstances of Ireland,"—(*Mr. Maguire:*)

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "before the consideration by this House of constitutional changes in the laws and institutions of Ireland, it is both just and expedient to inquire into the causes of alleged discontent, and the best mode of remedying the same,"—(*Sir Frederick Heygate,*)— instead thereof 1595

Question again proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Debate *further adjourned* till *Monday* next.

Inclosure Bill—*Ordered* (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*) .. 1675

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LORDS, MONDAY, MARCH 16.

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Railways (Extension of Time) Bill (No. 36)—

Moved, "That the Bill be now read 2ª,"—(*The Duke of Richmond*) .. 1675

After short debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

Ecclesiastical Commissioners Orders in Council Bill [H.L.] (No. 33)—

Order of the Day for the Third Reading read 1677

After short debate, Bill read 3ª accordingly; and *passed,* and sent to the Commons.

COMMONS, MONDAY, MARCH 16.

COVENTRY ELECTION—

House informed, that the Committee had determined, That Henry Mather Jackson, esquire, is not duly elected a Citizen to serve in this present Parliament for the City of Coventry. That the last Election for the said City is a void Election. And the said Determinations were ordered to be entered in the Journals of this House. House further informed that the Committee had agreed to certain Resolutions 1679

Report to lie upon the Table.

IRELAND—SMALL DEBTS RECOVERY—Question, Mr. Dawson; Answer, The Attorney General for Ireland 1679

INDIA—THE BUDGET—Question, Mr. Waldegrave-Leslie; Answer, Sir Stafford Northcote 1680

NAVY—NAVAL COMMISSIONS—Question, Mr. White; Answer, Mr. Corry .. 1680

RICHMOND PARK—Question, Mr. Locke King; Answer, Lord John Manners .. 1680

INDIA—BANK OF BOMBAY—Question, Mr. Dyce Nicol; Answer, Sir Stafford Northcote 1681

IRELAND—ALLEGED SEDITIOUS SPEAKING—Questions, Mr. Cogan, Mr. Bentinck; Answers, The Attorney General for Ireland 1681

ABYSSINIAN EXPEDITION EXPENDITURE—Questions, Captain Vivian, Mr. Childers; Answers, The Chancellor of the Exchequer 1683

POST OFFICE—THE AMERICAN MAILS—Question, Mr. Baxter; Answer, Mr. Sclater-Booth 1685

METROPOLIS—CARTOON IN WESTMINSTER HALL—Question, Mr. Monk; Answer, Lord John Manners 1685

WATER SUPPLY COMMISSION—Question, Mr. Thomson Hankey; Answer, Mr. Gathorne Hardy 1685

METROPOLIS—THE THAMES EMBANKMENT—Question, Mr. Thomson Hankey; Answer, Mr. Stephen Cave 1686

ECCLESIASTICAL TITLES BILL—Question, Mr. Schreiber; Answer, Mr. MacEvoy 1686

SLAVE TRADE PAPERS—Question, Mr. Gilpin; Answer, Lord Stanley .. 1687

FIRE PROTECTION—Question, Mr. M'Lagan; Answer, Mr. Gathorne Hardy .. 1687

WRECK RETURNS—Question, Mr. Miller; Answer, Mr. Stephen Cave .. 1687

ARMY EXPENDITURE—Question, Mr. O'Beirne; Answer, Mr. White .. 1687

STATE OF IRELAND—MOTION FOR A COMMITTEE—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [10th March]—

"That this House will immediately resolve itself into a Committee, with the view of taking into consideration the condition and circumstances of Ireland,"—(*Mr. Maguire:*)

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "before the consideration by this House of constitutional changes in the laws and

State of Ireland—Motion for a Committee—*continued.*

institutions of Ireland, it is both just and expedient to inquire into the causes of alleged discontent, and the best mode of remedying the same,"—(*Sir Frederick Heygate,*)—instead thereof. 1688

Question again proposed, " That the words proposed to be left out stand part of the Question : "—After long debate, Amendment and Motion, by leave, *withdrawn.*

SUPPLY—Civil Service Estimates—*considered* in Committee.

(In the Committee.)

1. *Resolved,* That a sum, not exceeding £79,829 2*s.* 7*d.*, be granted to Her Majesty, to make good Excesses on Grants for the following Civil Services, for the year ended on the 31st day of March 1867 1793

[Then the several Services set forth at length.]

2. *Resolved,* That a sum, not exceeding £8,381 1*s.* 1*d.*, be granted to Her Majesty, to make good Excesses on the Grant for Salaries and Expenses of the Inland Revenue Department, for the year ended on the 31st day of March 1867.
3. *Resolved,* That a sum, not exceeding £1,089 13*s.* 8*d.*, be granted to Her Majesty, to make good Excesses on the Grant for the Post Office Packet Service, for the year ended on the 31st day of March 1867 1793

£134,000, Civil Services, Supplementary Estimate, 1867-8 :—After short debate,

4. *Resolved,* That a Supplementary Sum, not exceeding £134,000, be granted to Her Majesty, for the following Civil Services, which will come in course of payment in the year ending on the 31st day of March 1868 1793

[Then the several Services set forth at length.]

Resolutions to be reported *To-morrow ;* Committee to sit again *To-morrow.*

LORDS, TUESDAY, MARCH 17.

Ireland—Quarter Sessions Courts—Question, The Marquess of Clanricarde; Answer, The Lord Chancellor 1794

The Boundary Commission—Question, Lord Stanley of Alderley; Answer, The Earl of Malmesbury 1795

Ireland—The Established Church—Question, Lord Stanley of Alderley; Answer, Earl Stanhope 1795

Friendly Societies Bill [H.L.]—*Presented* (*The Earl of Lichfield*); read 1ª (No. 43) 1796

Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod—Select Committee on, *appointed* and *nominated :*—List of the Committee 1796

COMMONS, TUESDAY, MARCH 17.

Private Bill Legislation—

Order read, for resuming Adjourned Debate on Question [18th February],

"That the Committee of Selection may, if they think fit, refer any Private Bills to the Referees, instead of to a Committee of the House, with power to the Referees to inquire into the whole subject-matter of such Bills, and to report them, with or without Amendments, to the House,"—(*Mr. Dodson*) 1797

Question again proposed :—Amendment proposed,

To leave out from the word "may" to the end of the Question, in order to add the words "refer any opposed Private Bill, or any Group of such Bills, to a Committee consisting of Four Members and a Referee,"—(*Lord Hotham,*)—instead thereof.

Question proposed, " That the words proposed to be left out stand part of the Question : "—After debate, Amendment and Motion, by leave, *withdrawn.*

Moved, " That the Committee of Selection may refer any opposed Private Bill, or any Group of such Bills, to a Committee consisting of Four Members and a Referee,"—(*Lord Hotham.*)

Amendment proposed, to leave out the word " Four," in order to insert the word " Three,"—(*Mr. Milner Gibson,*)—instead thereof.

Question put, " That the word ' Four ' stand part of the Question : "—After further short debate, the House *divided ;* Ayes 162, Noes 159 ; Majority 3 :—Main Question put, and *agreed to.*

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PRIVATE BILL LEGISLATION—*continued.*

Ordered, That the Committee of Selection may refer any opposed Private Bill, or any Group of such Bills, to a Committee, consisting of Four Members and a Referee.

After short debate, Standing Orders 93, 95, 96, and 97, relating to the divided inquiry before the Referees and Committees, read, and *repealed* .. 1811

Standing Order 131 (Competition to be a ground of locus standi) read.

After short debate, further Consideration of said Standing Order *deferred* till *Tuesday* next.

TURKEY—SANITARY REGULATIONS—Question, Sir J. Clarke Jervoise; Answer, Lord Stanley 1811

THE MEDICAL OFFICER OF THE PRIVY COUNCIL—Question, Sir J. Clarke Jervoise; Answer, Lord Robert Montagu 1812

CASE OF THE "SPRINGBOK"—Question, Mr. Bentinck; Answer, Lord Stanley 1812

TECHNICAL EDUCATION—Question, Mr. Samuelson; Answer, Lord R. Montagu 1812

CONTAGIOUS DISEASES ACT—Question, Major Dickson; Answer, Sir J. Pakington 1813

ARMY—SHOEBURYNESS EXPERIMENTS—Questions, Mr. Powell, General Dunne; Answers, Sir John Pakington 1813

IRELAND—TREATMENT OF MESSRS. SULLIVAN AND PIGOTT—Question, Mr. Stock; Answer, The Earl of Mayo 1814

THE MUTINY BILL—Questions, Mr. Darby Griffith, Mr. Otway, Captain Vivian, Mr. Sandford; Answers, Sir John Pakington 1815

Elementary Education Bill—

Motion for Leave (*Mr. Bruce*) 1816

After debate, Motion *agreed to*:—Bill to provide for Elementary Education in England and Wales, *ordered* (*Mr. Henry Austin Bruce, Mr. William Edward Forster, Mr. Algernon Egerton*); *presented,* and read the first time [Bill 64.]

SUPPLY—Observations, Mr. Darby Griffith; Reply, Sir John Pakington .. 1826

SUPPLY—ARMY ESTIMATES—*considered* in Committee 1827

(In the Committee.)

(1.) £48,479 8*s.* 8*d.*, Excesses of Army Expenditure.

(2.) £90,619 13*s.* 9*d.*, Excess of Naval Expenditure.

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

WAYS AND MEANS—Resolution, £362,398 19*s.* 9*d.* Consolidated Fund .. 1827

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

County Courts (Admiralty Jurisdiction) Bill [Bill 33]—

Moved, "That the Bill be now read a second time,"—(*Mr. Norwood*) .. 1828

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Friday,* 24th April.

Compulsory Church Rates Abolition Bill [Bill 13]—

Bill, as amended, *considered* 1830

Amendment proposed, to leave out the words "to vote upon any question as to making any such voluntary rate, or,"—(*Mr. Henley.*)

After short debate, Question, "That the words proposed to be left out stand part of the Bill," put, and *agreed to.*

Bill to be read the third time *To-morrow.*

Reformatory Schools (Ireland) Bill—*Ordered* (*The Earl of Mayo, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 65] 1830

GRAND JURY PRESENTMENTS (IRELAND)—
Select Committee *appointed*, "to inquire into the several Laws under which monies are now raised by Grand Jury Presentments in Ireland, and into the nature and incidence of all charges levied under such Presentments, with the view of ascertaining what alterations might beneficially be made in these Laws,"—(*The O'Conor Don*) .. 1830
And, on March 20, Committee *nominated*:—List of the Committee.

Lee River Conservancy Bill—Select Committee on the Lee River Conservancy Bill *nominated*:—List of the Committee 1831

COMMONS, WEDNESDAY, MARCH 18.

Sale of Liquors on Sunday Bill [Bill 12]—
Moved, "That the Bill be now read a second time,"—(*Mr. J. A. Smith*) .. 1831
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Locke.*)
After long debate, Question, "That the word 'now' stand part of the Question," put, and *agreed to.*
Main Question put, and *agreed to*:—Bill read a second time.
Moved, "That the Bill be referred to a Select Committee,"—(*Mr. Hibbert.*)
After short debate, Bill *committed* to a Select Committee.
And, on March 26, Committee *nominated*:—List of the Committee .. 1872

Tancred's Charity Bill—*Ordered* (*Mr. Beresford Hope, Mr. Walpole, Viscount Cranborne*); *presented*, and read the first time [Bill 67] 1872

Railways (Guards' and Passengers' Communication) Bill—*Presented*, and read the first time [Bill 66] 1872

WAYS AND MEANS—Resolution *reported.*
£362,398 19*s.* 9*d.*, Consolidated Fund 1872
Resolution *agreed to*:—Bill *ordered* (*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Sclater-Booth*); *presented*, and read the first time.

LORDS, THURSDAY, MARCH 19.

THE UNIVERSITIES AND THE ESTABLISHED CHURCH — Petition *presented* (*The Bishop of London*) 1872
Petition *ordered* to lie on the table.

THE RITUAL COMMISSION — Question, Observations, Lord Taunton; Answer, The Archbishop of Canterbury 1877

METROPOLIS—SPECIAL CONSTABLES—MOTION FOR A RETURN—
Moved, "That an humble Address be presented to Her Majesty for Return of the Number of Special Constables who have respectively enrolled themselves in the different Parishes of the Metropolis after the Explosion in Clerkenwell,"—(*The Lord Campbell*) .. 1880
Motion *agreed to.*

Licensing Bill [H.L.]—*Presented* (*The Earl of Lichfield*); read 1ª (No. 45) .. 1883

COMMONS, THURSDAY, MARCH 19.

RAILWAYS—RESOLUTION—*Moved*,
"That in case of an Insolvent Railway Company applying for an extension of time or for any other power, and where such Railway Company have applied to the Court of Chancery for a scheme of arrangement under the Railway Act of 1867, such Railway Company shall on or before the 30th of November immediately preceding the application for the Bill, deposit in the Private Bill Office a Schedule setting forth the full detailed particulars disclosing all transactions of such Company, and to answer all and every Question or Questions hereunder set out:—[List of Questions]—(*Mr. Treeby*) .. 1884
After short debate, Motion, by leave, *withdrawn.*

POOR LAWS — PAUPER IDIOTS AND LUNATICS — Question, Lord Eustace Cecil; Answer, Sir Michael Hicks-Beach 1887

ARMY PROMOTION—Question, Captain Vivian; Answer, Sir John Pakington .. 1887

English Porcelain at Bow—Question, Mr. Schreiber; Answer, Lord Robert Montagu 1888

Representation of the People Act, 1867—Payment of Rates—The Compounding System—Question, Mr. Evans; Answer, The Attorney General 1888

Contagious Diseases Acts—Question, Sir J. Clarke Jervoise; Answer, Lord Robert Montagu 1889

Scotland—Ministers' Stipends in Edinburgh—Question, Mr. M'Laren; Answer, The Lord Advocate 1889

New Zealand Defence Corps—Question, Mr. Harvey Lewis; Answer, Mr. Adderley 1890

Representation of the People (Scotland) Bill—Questions, Mr. Moncreiff, Mr. Bouverie; Answers, Mr. Disraeli 1890

Ireland — Political Prisoners — Sullivan and Pigott — Question, Mr. Rearden; Answer, The Earl of Mayo 1891

Ireland—Roman Catholic University Charter—Question, Mr. Lowe; Answer, The Earl of Mayo 1891

Parliament—The Easter Vacation—Question, Mr. Whitbread; Answer, Mr. Disraeli 1892

Financial Statement—Question, Mr. Thomson Hankey; Answer, The Chancellor of the Exchequer 1892

Representation of the People (Ireland) Bill—Question, Colonel French; Answer, Mr. Disraeli 1892

Representation of the People Act, 1867—The Ratepaying Clauses—
Petition *presented* (*Mr. Bright.*)
Question, Mr. Darby Griffith; Answer, Mr. Speaker 1893

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Representation of the People Act, 1867—Compounding for Rates—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient that so much of the Reform Act of 1867 as makes occupiers liable for Poor Rates instead of owners, in respect of premises to which the system of compounding had been applied, ought to be repealed; that the name of every occupier ought to be put on the rate book, and that payment of rates by the owner, under the compounding system, ought to be deemed payment by the occupier and entitle him to the Franchise,"—(*Mr. James White,*)—instead thereof .. 1893

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

Army—Fortifications—Questions, Lord Elcho, General Dunne; Answer, Sir John Pakington 1922

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—Army Estimates—*considered* in Committee.
(In the Committee.)

Moved, "That a sum, not exceeding £6,000,000, be granted to Her Majesty, on account, towards defraying the Army Services, for the year ending the 31st day of March 1869" 1937

After short debate, Motion, by leave, *withdrawn.*

SUPPLY—Navy Estimates—*considered* in Committee 1938

(1.) 67,120 Men and Boys, Sea and Coast Guard Services, including 14,700 Royal Marines.—After short debate, Vote *agreed to* 1939

(2.) £2,000,000, on account for Navy Services, *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Habeas Corpus Suspension Acts, &c. (Ireland)—Motion for a Return—
Moved, "That there be laid before this House, a Return of the number of times the Habeas Corpus Act has been suspended in Ireland since the passing of the Act of Union; the number of Arms Acts, Whiteboy and other Acts of repression in Ireland passed since the

HABEAS CORPUS SUSPENSION ACTS, &c., IRELAND—MOTION FOR A RETURN—*continued.*

said Act of Union; the number of Persons sentenced to death, transportation, and imprisonment in each year for political offences; and a Statement of the Acts under which each person has been so sentenced,"—(*Mr. Rearden*) 1939

After short debate, Question put, and *negatived.*

Parliamentary Reform—Representation of the People (Ireland) Bill—

Motion for Leave (*The Earl of Mayo*) 1940

Moved, "That this House do now adjourn,"—(*Colonel French* :)—After short debate, Motion, by leave, *withdrawn.*

Bill to amend the Representation of the People in Ireland, *ordered* (*The Earl of Mayo, Mr. Disraeli, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 71.]

NAVY—WOODEN SHIPS—MOTION FOR RETURNS—Motion for,

"A List of all the wooden Line-of-battle Ships and Frigates, together with amount of their tonnage and horse-power; their original value per ton, and price of engines" [and other Returns],—(*Captain Mackinnon*) 1952

After short debate, Motion, by leave, *withdrawn.*

Petit Juries (Ireland) Bill—*Ordered* (*Mr. Attorney General for Ireland, The Earl of Mayo*); *presented,* and read the first time [Bill 70] 1954

EXTRADITION—

Select Committee *appointed* "to inquire into the state of our Treaty relations with Foreign Governments regarding Extradition, with a view to the adoption of a more permanent and uniform policy on the subject,"—(*Mr. M'Cullagh Torrens*) 1954

And, on March 27, Committee *nominated* :—List of the Committee.

LORDS, FRIDAY, MARCH 20.

PROXIES—Question, Earl Stanhope; Answer, The Earl of Malmesbury .. 1954

Regulation of Railways Bill [H.L.] (No. 34)—

Moved, "That the Bill be now read 2ª,"—(*The Duke of Richmond*) .. 1955

After debate, Motion *agreed to* :—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

COMMONS, FRIDAY, MARCH 20.

THE IRISH CHURCH—Notice (*Mr. Gladstone*) 1974

EXEMPTION OF SMALL PAMPHLETS FROM SECURITY—Question, Mr. Craufurd; Answer, The Attorney General 1974

CAPE OF GOOD HOPE—THE BASUTO TERRITORY—Question, Mr. Miller; Answer, Mr. Adderley 1975

THE EARL OF HARDWICKE AND THE CAMBRIDGE REGISTRATION—Question, Mr. Craufurd; Answer, Mr. Disraeli 1975

METROPOLIS—WESTMINSTER IMPROVEMENTS—Question, Mr. Buxton; Answer, Lord John Manners 1977

ANNUAL STATISTICAL ABSTRACTS—Question, Mr. Buxton; Answer, Mr. S. Cave 1977

IRELAND—THE PARTY PROCESSIONS ACT—Question, Sir Charles Lanyon; Answer, The Earl of Mayo 1977

POST OFFICE—AUSTRALIAN MAILS—Question, Mr. Verner; Answer, Mr. Sclater-Booth 1979

BRITISH REGIMENTS IN NEW ZEALAND—Question, Mr. Gorst; Answer, Mr. Adderley 1979

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Metropolitan Board of Works—Question, Colonel Sykes; Answer, Mr. Sclater-Booth 1980

Army—Officers of the late Indian Navy—Question, Mr. Surtees; Answer, Sir Stafford Northcote 1980

India—The Sindh Railway—Question, Viscount Cranborne; Answer, Sir Stafford Northcote 1981

Indian Finance—Question, Mr. Crawford; Answer, Sir Stafford Northcote .. 1982

Public Schools Bill—Question, Mr. Goschen; Answer, Mr. Walpole .. 1982

The Army Estimates—Question, Captain Vivian; Answer, Sir J. Pakington 1982

Ecclesiastical Commissioners Orders in Council Bill—Question, Mr. Gladstone; Answer, Mr. Gathorne Hardy 1983

Compulsory Church Rates Abolition Bill—Question, Mr. Walpole; Answer, Mr. Gladstone 1983

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

The Law of Expatriation—Observations, Mr. W. E. Forster:—Debate thereon 1984

Postal Subsidies—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, no Postal Subsidies in the form of a fixed payment, and not dependent on the number of letters and newspapers carried, should be granted where ordinary traffic supports several lines of passenger steamers as is the case between this Country and the United States of America,"—(*Mr. Baxter,*)—instead thereof 2010

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Affairs of Ceylon—Observations, Mr. Gorst:—Debate thereon .. 2012

Navy—The Royal Dockyards—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the number of Dockyards ought to be diminished,"—(*Mr. Graves,*)—instead thereof 2034

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Lambeth Workhouse—The New Master—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Copies of the Evidence taken by Mr. Farnell at the inquiry held at St. Mary's, Newington, in the spring of 1866, and of the Correspondence between the Newington Board and the Poor Law Board which led to the removal of G. Catch from the office he then held,"—(*Mr. Percy Wyndham,*)—instead thereof 2046

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Assessed Taxes—Appeal Courts—Observations, Mr. Treeby; Reply, Mr. Sclater-Booth 2050

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—Army Estimates—*considered* in Committee.

(In the Committee.)

£4,000,000, on account, Army Services—Vote *agreed to* 2050

[Then the several Services set forth at length.]

Resolution to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

[*March* 20.] *Page*

Public Schools (*re-committed*) **Bill** [Bill 47]—
Order for Committee read 2052
Moved, "That the Bill be referred to a Select Committee,"—(*Mr. Walpole.*)
After short debate, Order *discharged* :—Bill *committed* to a Select Committee.
And, on March 26, Committee *nominated* :—List of the Committee .. 2053

Compulsory Church Rates Abolition Bill [Bill 59]—
Order for Third Reading read, and *discharged* 2053
Bill *re-committed*, in respect of Amendments to be proposed to Clauses A and C ; *considered* in Committee.
After short time spent therein, Bill *reported ;* as amended, *considered ;* to be read the third time upon *Monday* next, and to be *printed* [Bill 72.]

Marine Mutiny Bill—*Ordered* (*Mr. Dodson, Mr. Corry, Lord Henry Lennox*) ; *presented*, and read the first time 2054

LORDS.

SAT FIRST.

Tuesday, November 19, 1867.

The Lord Colchester, after the Death of his Father.

Friday, November 22.

The Lord Fitzhardinge, after the Death of his Father.

Thursday, February 13, 1868.

The Marquess of Lansdowne, after the Death of his Father.

The Lord Wrottesley, after the Death of his Father.

Thursday, March 5.

The Lord Aveland, after the Death of his Father.

Tuesday, November 19, 1867.

The Earl Annesley, a Representative Peer for Ireland, *in the room of* the late Earl of Mayo.

COMMONS.

NEW WRITS DURING THE RECESS.

Tuesday, November 19, 1867.

Mr. Speaker acquainted the House that, during the Recess, he had issued Warrants for New Writs—

For *Galway County*, *v.* Lord Dunkellin, deceased.

For *Bradford*, *v.* Henry Wickham Martin, esquire, deceased.

For *Rutland*, *v.* Hon. Gilbert Henry Heathcote, called up to the House of Peers.

For *Leicester County* (Southern Division), *v.* Charles William Packe, esquire, deceased.

For *Manchester*, *v.* Edward James, esquire, deceased.

NEW WRITS ISSUED.

Monday, November 25, 1867.

For *Thetford*, *v.* The Hon. Alexander Hugh Baring, Chiltern Hundreds.

Thursday, February 13, 1868.

For *Westmorland*, *v.* Hon. Henry Cecil Lowther, deceased.

For *Kirkcudbright*, *v.* James Mackie, esquire, deceased.

For *Stoke-upon-Trent*, *v.* Alexander James Beresford Beresford Hope, esquire, Manor of Northstead.

For *Cambridge University*, *v.* Sir Charles Jasper Selwyn, knight, one of the Judges of the Court of Appeal in Chancery.

For *Helston*, *v.* William Baliol Brett, esquire, Solicitor General.

Friday, February 21.

For *Argyllshire, v.* Alexander Struthers Finlay, esquire, Chiltern Hundreds.

Friday, February 28.

For *Northampton County* (Northern Division), *v.* George Ward Hunt, esquire, Chancellor of the Exchequer.

Thursday, March 12.

For *Huddersfield, v.* Lieutenant-Colonel Thomas Pearson Crosland, deceased.

Thursday, March 19.

For *Coventry, v.* Henry Mather Jackson, esquire, void Election.

NEW MEMBERS SWORN.

Tuesday, November 19, 1867.

Galway County—Viscount Burke.

Wednesday, November 20.

Bradford—Mathew William Thompson, Esq.

Friday, November 29.

Manchester—Jacob Bright, Esq. [Affirmation.]

Monday, December 2.

Leicester County (Southern Division), Thomas Tertius Paget, Esq.

Tuesday, December 3.

Thetford—Right Hon. Edward Strathearn Gordon.

Thursday, February 13, 1868.

Rutlandshire—Henry Finch, Esq.

Westmorland—William Lowther, Esq.

Tuesday, February 18.

Kirkcudbrightshire—Wellwood Herries Maxwell, Esq.

Friday, February 21.

The College of the Holy Trinity, Dublin—Right Hon. Robert Richard Warren.

Helston—William Baliol Brett, Esq.

Monday, February 24.

Stoke-upon-Trent—George Melly, Esq.

Tuesday, February 25.

Cambridge University—Alexander James Beresford Beresford Hope, Esq.

Thursday, March 5.

Argyllshire—The Marquess of Lorne.

Monday, March 9.

Northampton County (Northern Division)—Right Hon. George Ward Hunt.

THE MINISTRY.

THE CABINET.

First Lord of the Treasury	Right Hon. Earl of Derby, K.G.
Lord Chancellor	Right Hon. Lord Chelmsford.
President of the Council	His Grace the Duke of Marlborough.
Lord Privy Seal	Right Hon. Earl of Malmesbury, G.C.B.
Secretary of State, Home Department	Right Hon. Gathorne Hardy.
Secretary of State, Foreign Department	Right Hon. Lord Stanley.
Secretary of State for Colonies	His Grace the Duke of Buckingham and Chandos, K.G.
Secretary of State for War	Right Hon. Sir John Somerset Pakington, Bt., K.C.B.
Secretary of State for India	Right Hon. Sir Stafford Henry Northcote, Bt., C.B.
Chancellor of the Exchequer	Right Hon. Benjamin Disraeli.
First Lord of the Admiralty	Right Hon. Henry Thomas Lowry Corry.
President of the Board of Trade	His Grace the Duke of Richmond.
Chief Commissioner of Works and Public Buildings	Right Hon. Lord John James Robert Manners.
Chief Secretary to the Lord Lieutenant (Ireland)	Right Hon. Lord Naas.

NOT IN THE CABINET.

Field Marshal Commanding-in-Chief	H.R.H. the Duke of Cambridge, K.G.
Postmaster General	His Grace the Duke of Montrose, K.T.
Chancellor of the Duchy of Lancaster	Right Hon. John Wilson Patten.
Chief Commissioner of the Poor Law Board	Right Hon. Earl of Devon.
Paymaster of the Forces, and Vice President of the Board of Trade	Right Hon. Stephen Cave.
Vice President of the Committee of Privy Council for Education	Right Hon. Lord Robert Montagu.
Lords of the Treasury	Hon. Gerard James Noel, Henry Whitmore, Esq., and Sir Graham Graham-Montgomery, Bt.
Lords of the Admiralty	Vice Admiral Sir Alexander Milne, K.C.B., Vice Admiral Sir Sydney Colpoys Dacres, K.C.B., Rear Admiral George Henry Seymour, C.B., Rear Admiral Sir John Charles Dalrymple Hay, Bt., and Charles Du Cane, Esq.
Joint Secretaries of the Treasury	Colonel Thomas Edward Taylor and George Ward Hunt, Esq.
Secretary of the Admiralty	Lord Henry George Charles Gordon-Lennox.
Secretary to the Poor Law Commissioners	George Sclater-Booth, Esq.
Under Secretary, Home Department	Sir James Fergusson, Bt.
Under Secretary, Foreign Department	Edward Christopher Egerton, Esq.
Under Secretary for Colonies	Right Hon. Charles Bowyer Adderley.
Undor Secretary for War	Right Hon. Earl of Longford, K.C.B.
Under Secretary for India	Right Hon. Lord Clinton.
Judge Advocate General	Right Hon. John Robert Mowbray.
Attorney General	Sir John Burgess Karslake, Knt.
Solicitor General	Sir Charles James Selwyn, Knt.

SCOTLAND.

Lord Advocate	Right Hon. Edward Strathearn Gordon.
Solicitor General	John Millar, Esq.

IRELAND.

Lord Lieutenant	Most Hon. Marquess of Abercorn, K.G. and K.St.P.
Lord Chancellor	Right Hon. Abraham Brewster.
Chief Secretary to the Lord Lieutenant	Right Hon. Lord Naas.
Attorney General	Right Hon. Robert Richard Warren.
Solicitor General	Michael Harrison, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl of Tankerville.
Lord Chamberlain	Right Hon. Earl of Bradford.
Master of the Horse	His Grace the Duke of Beaufort, K.G.
Treasurer of the Household	Right Hon. Percy Egerton Herbert.
Comptroller of the Household	Right Hon. Viscount Royston.
Vice Chamberlain of the Household	Right Hon. Lord Claud Hamilton.
Captain of the Corps of Gentlemen at Arms	Right Hon. Marquess of Exeter.
Captain of the Yeomen of the Guard	Right Hon. Earl Cadogan.
Master of the Buckhounds	Right Hon. Lord Colville of Culross.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Her Grace the Duchess of Wellington.

ROLL OF THE

LORDS SPIRITUAL AND TEMPORAL

IN THE THIRD SESSION OF THE NINETEENTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

31° VICTORIÆ 1867-8.

MEM.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness THE PRINCE OF WALES.

His Royal Highness ALFRED ERNEST ALBERT Duke of EDINBURGH.

His Royal Highness GEORGE FREDERICK ALEXANDER CHARLES ERNEST AUGUSTUS Duke of CUMBERLAND AND TEVIOTDALE. (*King of Hanover.*)

His Royal Highness GEORGE WILLIAM FREDERICK CHARLES Duke of CAMBRIDGE.

CHARLES THOMAS Archbishop of CANTERBURY.

FREDERICK Lord CHELMSFORD, *Lord Chancellor.*

WILLIAM Archbishop of YORK.

MARCUS GERVAIS Archbishop of ARMAGH.

JOHN WINSTON Duke of MARLBOROUGH, *Lord President of the Council.*

JAMES HOWARD Earl of MALMESBURY, *Lord Privy Seal.*

HENRY Duke of NORFOLK, *Earl Marshal of England.*

EDWARD ADOLPHUS Duke of SOMERSET.

CHARLES HENRY Duke of RICHMOND.

WILLIAM HENRY Duke of GRAFTON.

HENRY CHARLES FITZROY Duke of BEAUFORT.

WILLIAM AMELIUS AUBREY DE VERE Duke of SAINT ALBANS.

GEORGE GODOLPHIN Duke of LEEDS.

WILLIAM Duke of BEDFORD.

WILLIAM Duke of DEVONSHIRE.

JOHN WINSTON Duke of MARLBOROUGH. (*In another Place as Lord President of the Council.*)

CHARLES CECIL JOHN Duke of RUTLAND.

WILLIAM ALEXANDER LOUIS STEPHEN Duke of BRANDON. (*Duke of Hamilton.*)

WILLIAM JOHN Duke of PORTLAND.

WILLIAM DROGO Duke of MANCHESTER.

HENRY PELHAM ALEXANDER Duke of NEWCASTLE.

ALGERNON GEORGE Duke of NORTHUMBERLAND.

ARTHUR RICHARD Duke of WELLINGTON.

RICHARD PLANTAGENET CAMPBELL Duke of BUCKINGHAM AND CHANDOS.

GEORGE GRANVILLE WILLIAM Duke of SUTHERLAND.

HARRY GEORGE Duke of CLEVELAND.

JOHN Marquess of WINCHESTER.

George Marquess of Tweeddale. (*Elected for Scotland.*)

Henry Charles Keith Marquess of Lansdowne.

John Villiers Stuart Marquess Townshend.

James Brownlow William Marquess of Salisbury.

John Alexander Marquess of Bath.

James Marquess of Abercorn.

Richard Marquess of Hertford.

John Patrick Marquess of Bute.

William Alleyne Marquess of Exeter.

Charles Marquess of Northampton.

John Charles Marquess Camden.

Henry Marquess of Anglesey.

George Horatio Marquess of Cholmondeley.

Henry Weysford Charles Plantagenet Marquess of Hastings.

George William Frederick Marquess of Ailesbury.

George Thomas John Marquess of Westmeath. (*Elected for Ireland.*)

Frederick William John Marquess of Bristol.

Archibald Marquess of Ailsa.

Richard Marquess of Westminster.

George Augustus Constantine Marquess of Normanby.

Charles Earl of Tankerville. (*Lord Steward of the Household.*)

Orlando George Charles Earl of Bradford. (*Lord Chamberlain of the Household.*)

Henry John Earl of Shrewsbury.

Edward Geoffrey Earl of Derby.

Francis Theophilus Henry Earl of Huntingdon.

George Robert Charles Earl of Pembroke and Montgomery.

William Reginald Earl of Devon.

Charles John Earl of Suffolk and Berkshire.

Rudolph William Basil Earl of Denbigh.

Francis William Henry Earl of Westmorland.

George Augustus Frederick Albemarle Earl of Lindsey.

George Harry Earl of Stamford and Warrington.

George James Earl of Winchilsea and Nottingham.

George Arthur Philip Earl of Chesterfield.

John William Earl of Sandwich.

Arthur Algernon Earl of Essex.

James Thomas Earl of Cardigan.

William George Earl of Carlisle.

Walter Francis Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)

Anthony Earl of Shaftesbury.

———— Earl of Berkeley.

Montagu Earl of Abingdon.

Richard George Earl of Scarbrough.

George Thomas Earl of Albemarle.

George William Earl of Coventry.

Victor Albert George Earl of Jersey.

William Henry Earl Poulett.

Sholto John Earl of Morton. (*Elected for Scotland.*)

James Earl of Caithness. (*Elected for Scotland.*) (*In another Place as Lord Barrogill.*)

Cospatrick Alexander Earl of Home. (*Elected for Scotland.*)

George Earl of Haddington. (*Elected for Scotland.*)

Thomas Earl of Lauderdale. (*Elected for Scotland.*)

David Graham Drummond Earl of Airlie. (*Elected for Scotland.*)

John Thornton Earl of Leven and Melville. (*Elected for Scotland.*)

Dunbar James Earl of Selkirk. (*Elected for Scotland.*)

Thomas John Earl of Orkney. (*Elected for Scotland.*)

Sewallis Edward Earl Ferrers.

William Walter Earl of Dartmouth.

Charles Earl of Tankerville. (*In another Place as Lord Steward of the Household.*)

Heneage Earl of Aylesford.

Francis Thomas De Grey Earl Cowper.

Philip Henry Earl Stanhope.

Thomas Augustus Wolstenholme Earl of Macclesfield.

James Earl Graham. (*Duke of Montrose.*)

William Frederick Earl Waldegrave.

Bertram Earl of Ashburnham.

Charles Wyndham Earl of Harrington.

Isaac Newton Earl of Portsmouth.

George Guy Earl Brooke and Earl of Warwick.

Augustus Edward Earl of Buckinghamshire.

William Thomas Spencer Earl Fitzwilliam.

Dudley Francis Earl of Guilford.

Charles Philip Earl of Hardwicke.

Henry Edward Earl of Ilchester.

George John Earl De La Warr.

William Earl of Radnor.

John Poyntz Earl Spencer.

William Lennox Earl Bathurst.

Arthur Wills Blundell Sandys Trumbull Windsor Earl of Hillsborough. (*Marquess of Downshire.*)

George William Frederick Earl of Clarendon.

William David Earl of Mansfield.

William Earl of Abergavenny.

John James Hugh Henry Earl Strange. (*Duke of Athol.*)

William Henry Earl of Mount Edgcumbe.

Hugh Earl Fortescue.

Henry Howard Molyneux Earl of Carnarvon.

Henry Charles Earl Cadogan.

James Howard Earl of Malmesbury. (*In another Place as Lord Privy Seal.*)

Stephen Earl of Mount Cashell. (*Elected for Ireland.*)

Henry John Reuben Earl of Portarlington. (*Elected for Ireland.*)

William Richard Earl Annesley. (*Elected for Ireland.*)

John Earl of Erne. (*Elected for Ireland.*)

William Earl of Wicklow. (*Elected for Ireland.*)

George Charles Earl of Lucan. (*Elected for Ireland.*)

Somerset Richard Earl of Belmore. (*Elected for Ireland.*)

Francis Earl of Bandon. (*Elected for Ireland.*)

Francis Robert Earl of Rosslyn.

George Grimston Earl of Craven.

Arthur George Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

Sydney William Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

William Earl of Lonsdale.

Dudley Earl of Harrowby.

Henry Thynne Earl of Harewood.

William Hugh Earl of Minto.

Alan Frederick Earl Cathcart.

James Walter Earl of Verulam.

Adelbert Wellington Brownlow Earl Brownlow.

Edward Granville Earl of Saint Germans.

Albert Edmund Earl of Morley.

Orlando George Charles Earl of Bradford. (*In another Place as Lord Chamberlain of the Household.*)

Frederick Earl Beauchamp.

Richard Earl of Bantry. (*Elected for Ireland.*)

George Frederick Samuel Earl De Grey.

John Earl of Eldon.

Richard William Penn Earl Howe.

Charles Sommers Earl Sommers.

John Edward Cornwallis Earl of Stradbroke.

George Henry Robert Charles William Earl Vane.

William Pitt Earl Amherst.

John Frederick Vaughan Earl Cawdor.

William George Earl of Munster.

Robert Adam Philips Haldane Earl of Camperdown.

Thomas George Earl of Lichfield.

George Frederick D'Arcy Earl of Durham.

Granville George Earl Granville.

Henry Earl of Effingham.

Henry John Earl of Ducie.

Charles Maude Worsley Earl of Yarborough.

James Henry Robert Earl Innes. (*Duke of Roxburghe.*)

Thomas William Earl of Leicester.

William Earl of Lovelace.

Thomas Earl of Zetland.

Charles George Earl of Gainsborough.

Edward Earl of Ellenborough.

Francis Charles Granville Earl of Ellesmere.

George Stevens Earl of Strafford.

William John Earl of Cottenham.
Henry Richard Charles Earl Cowley.
Archibald William Earl of Winton. (*Earl of Eglintoun.*)
William Earl of Dudley.
John Earl Russell.
John Earl of Kimberley.
Richard Earl of Dartrey.

Robert Viscount Hereford.
William Henry Viscount Strathallan. (*Elected for Scotland.*)
Henry Viscount Bolingbroke and St. John.
Evelyn Viscount Falmouth.
George Viscount Torrington.
Augustus Frederick Viscount Leinster. (*Duke of Leinster.*)
John Robert Viscount Sydney.
Francis Wheler Viscount Hood.
Mervyn Viscount Powerscourt. (*Elected for Ireland.*)
Thomas Viscount De Vesci. (*Elected for Ireland.*)
James Viscount Lifford. (*Elected for Ireland.*)
Edward Viscount Bangor. (*Elected for Ireland.*)
Hayes Viscount Doneraile. (*Elected for Ireland.*)
Cornwallis Viscount Hawarden. (*Elected for Ireland.*)
Carnegie Robert John Viscount St. Vincent.
Henry Viscount Melville.
William Wells Viscount Sidmouth.
George Frederick Viscount Templetown. (*Elected for Ireland.*)
George Viscount Gordon. (*Earl of Aberdeen.*)
Edward Viscount Exmouth.
John Luke George Viscount Hutchinson. (*Earl of Donoughmore.*)
William Thomas Viscount Clancarty. (*Earl of Clancarty.*)
Wellington Henry Viscount Combermere.
Charles John Viscount Canterbury.
Rowland Viscount Hill.
Charles Stewart Viscount Hardinge.
Hugh Viscount Gough.
Stratford Viscount Stratford de Redcliffe.
Charles Viscount Eversley.
Charles Viscount Halifax.

Archibald Campbell Bishop of London.
Charles Bishop of Durham.
Charles Richard Bishop of Winchester.
Henry Bishop of Exeter.
Connop Bishop of St. David's.
Ashhurst Turner Bishop of Chichester.
Samuel Bishop of Oxford.
Thomas Vowler Bishop of St. Asaph.
James Prince Bishop of Manchester.
Renn Dickson Bishop of Hereford.
Alfred Bishop of Llandaff.
John Bishop of Lincoln.
Walter Kerr Bishop of Salisbury.
Robert John Bishop of Bath and Wells. (*In another Place as Lord Auckland.*)
Robert Bishop of Ripon.
John Thomas Bishop of Norwich.
James Colquhoun Bishop of Bangor.
Samuel Bishop of Carlisle.
Henry Bishop of Worcester.
Charles John Bishop of Gloucester and Bristol.
Edward Harold Bishop of Ely.
Francis Bishop of Peterborough.
William Bishop of Chester.
Thomas Legh Bishop of Rochester.
Samuel Bishop of Meath.
William Bishop of Killaloe, Kilfenora, Clonfert, and Kilmacduagh.
Hamilton Bishop of Kilmore, Elphin, and Ardagh.

William Lennox Lascelles Lord De Ros.
Jacob Henry Delaval Lord Hastings.
George Edward Lord Audley.
Alberic Lord Willoughby de Eresby.
Thomas Crosby William Lord Dacre.
Charles Henry Rolle Lord Clinton.
Thomas Lord Camoys.
Henry Lord Beaumont.
Charles Lord Stourton.
Henry William Lord Berners.
Henry Lord Willoughby de Broke.
Sackville George Lord Conyers.
George Lord Vaux of Harrowden.
Ralph Gordon Lord Wentworth.
Edward Adolphus Ferdinand Lord Seymour.

Lucius Bentinck Lord Hunsdon. (*Viscount Falkland.*)

Thomas Lord Denman.

William Frederick Lord Abinger.

Philip Lord De L'Isle and Dudley.

Francis Lord Ashburton.

Edward Richard Lord Hatherton.

Archibald Brabazon Sparrow Lord Worlingham. (*Earl of Gosford.*)

William Frederick Lord Stratheden.

Edward Berkeley Lord Portman.

Thomas Alexander Lord Lovat.

William Bateman Lord Bateman.

James Molyneux Lord Charlemont. (*Earl of Charlemont.*)

Francis Alexander Lord Kintore. (*Earl of Kintore.*)

George Ponsonby Lord Lismore. (*Viscount Lismore.*)

Henry Cairns Lord Rossmore.

Robert Shapland Lord Carew.

Charles Frederick Ashley Cooper Lord De Mauley.

Arthur Lord Wrottesley.

Sudeley Charles George Tracy Lord Sudeley.

Frederick Henry Paul Lord Methuen.

Edward John Lord Stanley of Alderley.

Henry Lord Stuart de Decies.

William Henry Lord Leigh.

Beilby Richard Lord Wenlock.

Charles Lord Lurgan.

Ralph Lord Dunfermline.

Thomas Spring Lord Monteagle of Brandon.

James Lord Seaton.

Edward Arthur Wellington Lord Keane.

John Lord Oxenfoord. (*Earl of Stair.*)

Charles Crespigny Lord Vivian.

John Lord Congleton.

Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)

Victor Alexander Lord Elgin. (*Earl of Elgin and Kincardine.*)

Frederick Temple Lord Clandeboye. (*Lord Dufferin and Claneboye.*)

William Henry Forester Lord Londesborough.

Samuel Jones Lord Overstone.

Charles Robert Claude Lord Truro.

Robert Monsey Lord Cranworth.

John Cam Lord Broughton.

Charles Lord De Freyne.

Edward Burtenshaw Lord Saint Leonards.

Richard Henry Fitz-Roy Lord Raglan.

Gilbert Henry Lord Aveland.

Thomas Lord Kenmare. (*Earl of Kenmare.*)

Richard Bickerton Pemell Lord Lyons.

James Lord Wensleydale.

Edward Lord Belper.

James Lord Talbot de Malahide.

Robert Lord Ebury.

James Lord Skene. (*Earl Fife.*)

William George Lord Chesham.

Frederic Lord Chelmsford. (*In another Place as Lord Chancellor.*)

John Lord Churston.

John Charles Lord Strathspey. (*Earl of Seafield.*)

George Lord Leconfield.

William Tatton Lord Egerton.

Charles Morgan Robinson Lord Tredegar.

Robert Vernon Lord Lyveden.

Henry Lord Taunton.

Richard Lord Westbury.

Francis William Fitzhardinge Lord Fitzhardinge.

Henry Lord Annaly.

Richard Monckton Lord Houghton.

John Lord Romilly.

Thomas George Lord Northbrook.

James Lord Barrogill. (*Earl of Caithness.*) (*In another Place as Earl of Caithness, elected for Scotland.*)

Thomas Lord Clermont.

William Meredyth Lord Meredyth. (*Lord Athlumney.*)

Edwin Richard Windham Lord Kenry. (*Earl of Dunraven and Mount-Earl.*)

Charles Stanley Lord Monck. (*Viscount Monck.*)

John Lord Hartismere. (*Lord Henniker.*)

Edward George Earle Lytton Lord Lytton.

William George Hylton Lord Hylton.

Hugh Henry Lord Strathnairn.

Edward Gordon Lord Penrhyn.

Gustavus Frederick Lord Brancepeth. (*Viscount Boyne.*)

Duncan Lord Colonsay.

Hugh MacCalmont Lord Cairns.

LIST OF THE COMMONS.

LIST OF MEMBERS

Returned from the respective Counties, Cities, Towns, and Boroughs, to serve in the *Nineteenth Parliament* of the United Kingdom of *Great Britain and Ireland*: Amended to the Opening of the Third Session on the 19th Day of November, 1867.

BEDFORD COUNTY.

Richard Thomas Gilpin,
Francis Charles Hastings Russell.

BEDFORD.

Samuel Whitbread,
William Stuart.

BERKS COUNTY.

Robert Loyd-Lindsay,
Richard Benyon,
Sir Charles Russell, bt.

ABINGDON.

Hon. Charles Hugh Lindsay.

READING.

Sir Francis Henry Goldsmid, bt.
George John Shaw Lefevre.

WALLINGFORD.

Sir Charles Wentworth Dilke, bt.

WINDSOR (NEW).

Charles Edwards,
Roger Eykyn.

BUCKINGHAM COUNTY.

Caledon George Du Pre,
Rt. hon. Benjamin Disraeli,
Robert Bateson Harvey.

AYLESBURY.

Samuel George Smith,
Nathaniel Mayer de Rothschild.

BUCKINGHAM.

Sir Harry Verney, bt.,
John Gellibrand Hubbard.

MARLOW (GREAT).

Thomas Peers Williams,
Brownlow William Knox.

WYCOMBE (CHEPPING).

John Remington Mills,
Hon. Charles Robert Carington.

CAMBRIDGE COUNTY.

Hon. (George John Manners) Lord G. J. Manners,
Hon. Charles Philip (Yorke) Viscount Royston,
Richard Young.

CAMBRIDGE.

Francis Sharp Powell,
John Eldon Gorst.

CAMBRIDGE (UNIVERSITY).

Rt. hon. Spencer Horatio Walpole,
Sir Charles Jasper Selwyn, knt.

CHESTER COUNTY.

(Northern Division.)

Hon. Wilbraham Egerton,
George Cornwall Legh.

(Southern Division.)

Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

BIRKENHEAD.

John Laird.

CHESTER.

Hon. Hugh Lupus (Grosvenor) Earl Grosvenor,
William Henry Gladstone.

STOCKPORT.

Edward William Watkin,
John Benjamin Smith.

MACCLESFIELD.

John Brocklehurst,
Edward Christopher Egerton.

CORNWALL COUNTY.

(Eastern Division.)

Thomas James Agar Robartes,
Nicholas Kendall.

(Western Division.)

Richard Davey,
John Saint Aubyn.

TRURO.

Hon. John Cranch Walker Vivian,
Frederick Martin Williams.

BODMIN.

Hon. Edward Frederick Leveson-Gower,
James Wyld.

HELSTON.

William Baliol Brett.

LAUNCESTON.

Alexander Henry Campbell.

LISKEARD.

Sir Arthur William Buller, knt.

PENRYN and FALMOUTH.

Samuel Gurney,
Jervoise Smith.

ST. IVES.

Henry Paull.

CUMBERLAND COUNTY

(Eastern Division.)

Hon. Charles Wentworth George Howard,
William Marshall.

(Western Division.)

Henry Lowther,
Hon. Percy Scawen Wyndham.

CARLISLE.

William Nicholson Hodgson,
Edmund Potter.

COCKERMOUTH.

John Steel,
Rt. hon. Richard Southwell (Bourke) Lord Naas.

WHITEHAVEN.

George Cavendish Bentinck.

DERBY COUNTY.

(Northern Division.)

Hon. (George Henry Cavendish) Lord G. H. Cavendish,
William Jackson.

DERBY COUNTY—*cont.*
(*Southern Division.*)
Thomas William Evans,
Charles Robert Colvile.
DERBY.
William Thomas Cox,
Michael Thomas Bass.

DEVON COUNTY.
(*Northern Division.*)
Sir Stafford Henry Northcote, bt.,
Thomas Dyke Acland.
(*Southern Division.*)
Sir Lawrence Palk, bt.,
Samuel Trehawke Kekewich.
ASHBURTON.
Robert Jardine.
BARNSTAPLE.
Sir George Stucley Stucley, bt.,
Thomas Cave.
DARTMOUTH.
John Hardy.
DEVONPORT.
Hon. Edward John Cornwallis (Eliot) Lord Eliot,
Montagu Chambers.
EXETER.
Hon. Edward Baldwin (Courtenay) Lord Courtenay,
John Duke Coleridge.
HONITON.
Alexander Dundas Ross Wishart Baillie-Cochrane,
Julian Goldsmid.
PLYMOUTH.
Sir Robert Porrett Collier, knt.,
Walter Morrison.
TAVISTOCK.
Arthur John Edward Russell,
Joseph D'Aguilar Samuda.
TIVERTON.
John Walrond-Walrond,
Hon. George Denman.
TOTNES.
Alfred Seymour.

DORSET COUNTY.
Hon. William Henry Berkeley Portman,
Henry Gerard Sturt,
John Floyer.
BRIDPORT.
Thomas Alexander Mitchell,
Kirkman Daniel Hodgson.
DORCHESTER.
Charles Napier Sturt,
Richard Brinsley Sheridan.
LYME REGIS.
John Wright Treeby.
POOLE.
Henry Danby Seymour,
Charles Waring.
SHAFTESBURY.
George Grenfell Glyn.
WAREHAM.
John Hales Montagu Calcraft.
WEYMOUTH AND MELCOMBE REGIS.
Robert Brooks,
Henry Edwards.

DURHAM COUNTY.
(*Northern Division.*)
Sir Hedworth Williamson, bt.,
Robert Duncombe Shafto.
(*Southern Division.*)
Joseph Whitwell Pease,
Charles Freville Surtees.
DURHAM (CITY).
John Henderson,
Rt. hon. John Robert Mowbray.
GATESHEAD.
Rt. hon. Sir William Hutt.
SHIELDS (SOUTH).
Robert Ingham.
SUNDERLAND.
James Hartley,
John Candlish.

ESSEX COUNTY.
(*Northern Division.*)
Sir Thomas Burch Western, bt.,
Charles Du Cane.
(*Southern Division.*)
Henry John Selwin-Ibbetson,
Hon. (Eustace Henry Brownlow Gascoygne-Cecil) Lord E. H. B. G. Cecil.

COLCHESTER.
John Gurdon Rebow,
Edward Kent Karslake.
HARWICH.
Henry Jervis White-Jervis,
John Kelk.
MALDON.
George Montagu Warren Sandford,
Ralph Anstruther Earle.

GLOUCESTER COUNTY.
(*Eastern Division.*)
Robert Stayner Holford,
Sir Michael Edward Hicks-Beach, bt.

GLOUCESTER COUNTY—*cont.*
(*Western Division.*)
Robert Nigel Fitzhardinge Kingscote,
Edward A. Somerset.
CHELTENHAM.
Charles Schreiber.
CIRENCESTER.
Allen Alexander Bathurst,
Hon. Ralph Heneage Dutton.
GLOUCESTER.
William Philip Price,
Charles James Monk.
STROUD.
Rt. hon. Edward Horsman,
Henry Self Page Winterbotham.
TEWKESBURY.
John Reginald Yorke,
Sir Edmund Anthony Harley Lechmere, bt.

HEREFORD COUNTY.
James King King,
Sir Joseph Russell Bailey, bt.,
Michael Biddulph.
HEREFORD.
Richard Baggally,
George Clive.
LEOMINSTER.
Arthur Walsh,
Richard Arkwright.

HERTFORD COUNTY.
Hon. Henry Frederick Cowper,
Henry Edward Surtees,
Abel Smith.
HERTFORD.
Rt. hon. William Francis Cowper,
Robert Dimsdale.

HUNTINGDON COUNTY.
Edward Fellowes,
Rt. hon. (Robert Montagu) Lord R. Montagu.
HUNTINGDON.
Thomas Baring,
Rt. hon. Jonathan Peel.

KENT COUNTY.
(*Eastern Division.*)
Sir Brook William Bridges, bt.,
Sir Edward Cholmeley Dering, bt.
(*Western Division.*)
Hon. William Archer (Amherst) Viscount Holmesdale,
William Hart Dyke.

CANTERBURY.
Henry Alexander Butler-Johnstone,
John Walter Huddleston.

CHATHAM.
Arthur John Otway.

GREENWICH.
David Salomons,
Sir Charles Tilston Bright, knt.

MAIDSTONE.
William Lee,
James Whatman.

ROCHESTER.
Philip Wykeham Martin,
John Alexander Kinglake.

LANCASTER COUNTY.
(Northern Division.)
Rt. hn. John Wilson Patten,
Rt. hon. Spencer Compton (Cavendish) Marquess of Hartington.

(Southern Division.)
Hon. Algernon Fulke Egerton,
Charles Turner,
Rt. hon. William Ewart Gladstone.

LANCASTER.

ASHTON-UNDER-LYNE.
Rt. hon. Thomas Milner Gibson.

BLACKBURN.
William Henry Hornby,
Joseph Feilden.

BOLTON-LE-MOORS.
William Gray,
Thomas Barnes.

BURY.
Robert Needham Philips.

CLITHEROE.
Richard Fort.

LIVERPOOL.
Thomas Berry Horsfall,
Samuel Robert Graves.

MANCHESTER.
Thomas Bazley,

OLDHAM.
John Tomlinson Hibbert,
John Platt.

PRESTON.
Sir Thomas George Hesketh, bt.,
Hon. Frederick Arthur Stanley.

ROCHDALE.
Thomas Bayley Potter.

SALFORD.
John Cheetham.

WARRINGTON.
Gilbert Greenall.

WIGAN.
Henry Woods,
Nathaniel Eckersley.

LEICESTER COUNTY.
(Northern Division.)
Rt. hon. (John James Robert Manners) Lord J. J. R. Manners,
Edward Bourchier Hartopp.

(Southern Division.)
Hon. George Augustus Frederick Louis (Curzon-Howe) Viscount Curzon.

LEICESTER.
John Dove Harris,
Peter Alfred Taylor.

LINCOLN COUNTY.
(Parts of Lindsey.)
James Banks Stanhope,
Sir Montague John Cholmeley, bt.

(Parts of Kesteven and Holland.)
Rt. hon. Sir John Trollope, bt.,
George Hussey Packe.

LINCOLN.
Charles Seely,
Edward Heneage.

BOSTON.
John Wingfield Malcolm,
Thomas Parry.

GRANTHAM.
Sir John Henry Thorold, bt.,
William Earle Welby.

GRIMSBY (GREAT).
John Fildes.

STAMFORD.
Hon. Robert Talbot (Gascoyne-Cecil) Viscount Cranborne,
Sir John Charles Dalrymple Hay, bt.

MIDDLESEX COUNTY.
Hon. George Henry Charles (Byng) Viscount Enfield,
Henry Labouchere.

FINSBURY.
William Torrens M'Cullagh Torrens,
Andrew Lusk.

LONDON.
Rt. hon. George Joachim Goschen,
Robert Wygram Crawford,
William Lawrence,
Baron Lionel Nathan De Rothschild.

MARYLEBONE.
John Harvey Lewis,
Thomas Chambers.

TOWER HAMLETS.
Charles Salisbury Butler,
Acton Smee Ayrton.

WESTMINSTER.
Hon. Robert Wellesley Grosvenor,
John Stuart Mill.

MONMOUTH COUNTY.
Charles Octavius Swinnerton Morgan,
Poulett George Henry Somerset.

MONMOUTH.
Crawshay Bailey.

NORFOLK COUNTY.
(Eastern Division.)
Edward Howes,
Clare Sewell Read.

(Western Division.)
Sir William Bagge, bt.,
Hon. Thomas De Grey.

KING'S LYNN.
Rt. hon. Edward (Stanley) Lord Stanley,
Sir Thomas Fowell Buxton, bt.

NORWICH.
Sir William Russell, bt.,
Edward Warner.

THETFORD.
Robert John Harvey-Harvey,
Hon. Alexander Hugh Baring.

YARMOUTH (GREAT).
Sir Edmund Henry Knowles Lacon, bt.,
James Goodson.

NORTHAMPTON COUNTY.
(Northern Division.)
George Ward Hunt,
Sackville George Stopford.

(Southern Division.)
Sir Rainald Knightley, bt.,
Henry Cartwright.

PETERBOROUGH.
George Hammond Whalley,
Thomson Hankey.

NORTHAMPTON.

Charles Gilpin,
Rt. hon. Anthony (Henley) Lord Henley.

NORTHUMBERLAND COUNTY.

(Northern Division.)

Hon. (Henry Hugh Manvers Percy) Lord H. H. M. Percy,
Sir Matthew White Ridley, bt.

(Southern Division.)

Wentworth Blackett Beaumont,
Hon. Henry George Liddell.

MORPETH.

Rt. hon. Sir George Grey, bt.

NEWCASTLE-UPON-TYNE.

Joseph Cowen,
Rt. hon. Thomas Emerson Headlam.

TYNEMOUTH.

George Otto Trevelyan.

NOTTINGHAM COUNTY.

(Northern Division.)

Rt. hon. John Evelyn Denison,
Hon. (Edward William Pelham-Clinton) Lord E. W. Pelham-Clinton.

(Southern Division.)

William Hodgson Barrow,
Thomas Blackborne Thoroton Hildyard.

NEWARK-UPON-TRENT.

Grosvenor Hodgkinson,
Hon. (Arthur Pelham-Clinton) Lord A. Pelham-Clinton.

NOTTINGHAM.

Ralph Bernal Osborne,
Hon. John (Russell) Viscount Amberley.

RETFORD (EAST.)

Rt. hon. George Edward Arundell (Monckton-Arundell) Viscount Galway,
Francis John Savile Foljambe.

OXFORD COUNTY.

Rt. hon. Joseph Warner Henley,
John Sidney North,
John William Fane.

BANBURY.

Bernhard Samuelson.

OXFORD (CITY).

Charles Neate,
Rt. hon. Edward Cardwell.

OXFORD (UNIVERSITY).

Sir William Heathcote, bt.,
Rt. hon. Gathorne Hardy.

WOODSTOCK.

Henry Barnett.

RUTLAND COUNTY.

Hon. Gerard James Noel,

SALOP COUNTY.

(Northern Division.)

John Ralph Ormsby-Gore,
Rt. hon. Orlando George Charles Bridgeman) Viscount Newport.

(Southern Division.)

Robert Jasper More,
Hon. Percy Egerton Herbert.

BRIDGNORTH.

John Pritchard,
Henry Whitmore.

LUDLOW.

Hon. George Herbert Windsor Windsor-Clive,
John Edmund Severne.

SHREWSBURY.

George Tomline,
William James Clement.

WENLOCK.

Rt. hon. George Cecil Weld Forester,
James Milnes Gaskell.

SOMERSET COUNTY.

(Eastern Division.)

Ralph Neville-Grenville,
Richard Horner Paget.

(Western Division.)

Sir Alexander Fuller Acland Hood, bt.,
William Henry Powell Gore-Langton.

BATH.

William Tite,
James Macnaghten Hogg.

BRIDGWATER.

Alexander William Kinglake,
Philip Vanderbyl.

FROME.

Sir Henry Creswicke Rawlinson.

TAUNTON.

Alexander Charles Barclay,
Hon. William Montagu (Hay) Lord W. M. Hay.

WELLS.

Hon. Hedworth Hylton Jolliffe,
Arthur Divett Hayter.

BRISTOL.

Hon. Francis Henry Fitzhardinge Berkeley,
Sir Samuel Morton Peto, bt.

SOUTHAMPTON COUNTY.

(Northern Division.)

William Wither Bramston Beach,
George Sclater-Booth.

(Southern Division.)

Sir Jervoise Clarke Clarke-Jervoise, bt.,
Henry Hamlyn Fane.

ANDOVER.

Hon. Dudley Francis Fortescue,
Sir John Burgess Karslake, knt.

CHRISTCHURCH.

John Edward Walcott.

LYMINGTON.

William Alexander Mackinnon,
Hon. (George Charles Gordon Lennox) Lord G. C. Lennox.

NEWPORT, ISLE OF WIGHT.

Charles Wykeham Martin,
Robert William Kennard.

PETERSFIELD.

William Nicholson.

PORTSMOUTH.

William Henry Stone,
Stephen Gaselee.

SOUTHAMPTON.

Rt. hon. Russell Gurney,
George Moffatt.

WINCHESTER.

John Bonham-Carter,
William Barrow Simmonds.

STAFFORD COUNTY.

(Northern Division.)

Sir Edward Manningham Buller, bt.,
Rt. hon. Charles Bowyer Adderley.

(Southern Division.)

Henry John Wentworth Hodgetts Foley,
William Orme Foster.

LICHFIELD.

Hon. Augustus Henry Archibald Anson,
Richard Dyott.

NEWCASTLE-UNDER-LYME

William Shepherd Allen,
Edmund Buckley.

STAFFORD.

Michael Arthur Bass,
Walter Meller.

STOKE-UPON-TRENT.
Alexander James Beresford Hope,
Henry Riversdale Grenfell.

TAMWORTH.
Rt. hon. Sir Robert Peel, bt.,
John Peel.

WALSALL.
Charles Forster.

WOLVERHAMPTON.
Rt. hon. Charles Pelham Villiers,
Thomas Matthias Weguelin.

SUFFOLK COUNTY.
(Eastern Division.)
Hon. John Major Henniker-Major,
Frederick Snowden Corrance.

(Western Division.)
Windsor Parker,
Hon. (Augustus Henry Charles Hervey) Lord A. H. C. Hervey.

BURY ST. EDMUNDS.
Joseph Alfred Hardcastle,
Edward Greene.

EYE.
Rt. hon. George William (Barrington) Viscount Barrington.

IPSWICH.
Hugh Edward Adair,
John Chevallier Cobbold.

SURREY COUNTY.
(Eastern Division.)
Hon. Peter John Locke King,
Charles Buxton.

(Western Division.)
John Ivatt Briscoe,
George Cubitt.

GUILDFORD.
Guildford James Hillier Mainwaring Elleker Onslow,
Richard Garth.

LAMBETH.
Thomas Hughes,
Frederick Doulton.

REIGATE.

SOUTHWARK.
John Locke,
Austen Henry Layard.

SUSSEX COUNTY.
(Eastern Division.)
John George Dodson,
Hon. Edward (Cavendish) Lord E. Cavendish.

SUSSEX COUNTY—*cont.*
(Western Division.)
Hon. Henry Wyndham,
Walter Barttelot Barttelot.

ARUNDEL.
Rt. hon. (Edward George Fitz-Alan Howard) Lord E. G. F. Howard.

BRIGHTHELMSTONE.
James White,
Henry Fawcett.

CHICHESTER.
John Abel Smith,
Hon. (George Charles Henry Gordon Lennox) Lord G. C. H. G. Lennox.

HORSHAM.
Robert Henry Hurst.

LEWES.
Rt. hon. Henry Bouverie William Brand,
Hon. Walter John (Pelham) Lord Pelham.

MIDHURST.
William Townley Mitford.

SHOREHAM (NEW).
Rt. hon. Stephen Cave,
Sir Percy Burrell, bt.

WARWICK COUNTY.
(Northern Division.)
Charles Newdigate Newdegate,
William Davenport Bromley.

(Southern Division.)
Sir Charles Mordaunt, bt.,
Henry Christopher Wise.

BIRMINGHAM.
John Bright,
George Dixon.

COVENTRY.
Henry William Eaton,
Henry Mather Jackson.

WARWICK.
George William John Repton,
Arthur Wellesley Peel.

WESTMORELAND COUNTY.
Hon. Henry Cecil Lowther,
Hon. Thomas (Taylour) Earl of Bective.

KENDAL.
George Carr Glyn.

WIGHT (ISLE OF).
Sir John Simeon, bt.

WILTS COUNTY.
(Northern Division.)
Hon. (Charles William Brudenell-Bruce) Lord C. W. Brudenell-Bruce,
Richard Penruddocke Long.

(Southern Division.)
Hon. (Henry Frederick Thynne) Lord H. F. Thynne,
Thomas Fraser Grove.

CALNE.
Rt. hon. Robert Lowe.

CHIPPENHAM.
Sir John Neeld, bt.,
Gabriel Goldney.

CRICKLADE.
Ambrose Lethbridge Goddard,
Sir Daniel Gooch, bt.

DEVIZES.
Christopher Darby Griffith,
Sir Thomas Bateson, bt.

MARLBOROUGH.
Rt. hon. (Ernest Augustus Charles Brudenell-Bruce) Lord E. A. C. B. Bruce,
Henry Bingham Baring.

MALMESBURY.
Hon. Henry Charles (Howard) Viscount Andover.

NEW SARUM (SALISBURY).
Matthew Henry Marsh,
Edward William Terrick Hamilton.

WESTBURY.
Sir Massey Lopes, bt.

WILTON.
Edmund Antrobus.

WORCESTER COUNTY.
(Eastern Division.)
Hon. Frederick Henry William Gough Calthorpe,
Harry Foley Vernon.

(Western Division.)
Frederick Winn Knight,
William Edward Dowdeswell.

BEWDLEY.
Sir Thomas Edward Winnington, bt.

DROITWICH.
Rt. hon. Sir John Somerset Pakington, bt.

DUDLEY.
Henry Brinsley Sheridan.

EVESHAM.
James Bourne,
Edward Holland.

KIDDERMINSTER.

Albert Grant.

WORCESTER.

Alexander Clunes Sherriff,
Richard Padmore.

YORK COUNTY.

(North Riding.)

Frederick Acclom Milbank,
Hon. Octavius Duncombe.

(East Riding.)

Rt. hon. Beaumont (Hotham) Lord Hotham,
Hon. Arthur Duncombe.

(Northern Division, West Riding.)

Sir Francis Crossley, bt.,
Hon. (Frederick Charles Cavendish) Lord F. C. Cavendish.

(Southern Division, West Riding.)

Hon. William (Wentworth-FitzWilliam) Viscount Milton.
Henry Frederick Beaumont.

BEVERLEY.

Sir Henry Edwards, bt.,
Christopher Sykes.

BRADFORD.

William Edward Forster,
Matthew William Thompson.

HALIFAX.

James Stansfeld,
Edward Akroyd.

HUDDERSFIELD.

Thomas Pearson Crosland.

KINGSTON-UPON-HULL.

James Clay,
Charles Morgan Norwood.

KNARESBOROUGH.

Basil Thomas Woodd,
Isaac Holden.

LEEDS.

George Skirrow Beecroft,
Edward Baines.

MALTON.

Hon. Charles William Wentworth-Fitzwilliam,
James Brown.

NORTHALLERTON.

Hon. Egremont William Lascelles

PONTEFRACT.

Hugh Culling Eardley Childers,
Samuel Waterhouse.

RICHMOND.

Sir Roundell Palmer, knt.
Marmaduke Wyvill.

RIPON.

Robert Kearsley,
Lord John Hay.

SCARBOROUGH.

Sir John Vanden Bempde Johnstone, bt.,
John Dent Dent.

SHEFFIELD.

John Arthur Roebuck,
George Hadfield.

THIRSK.

Sir William Payne Gallwey, bt.

WAKEFIELD.

William Henry Leatham.

WHITBY.

Charles Bagnall.

YORK CITY.

James Lowther,
George Leeman.

BARONS OF THE CINQUE PORTS.

DOVER.

Alexander George Dickson,
Charles Kaye Freshfield.

HASTINGS.

Hon. George Waldegrave-Leslie,
Patrick Francis Robertson.

SANDWICH.

Edward Knatchbull-Hugessen,
Charles Capper.

HYTHE.

Baron Mayer Amschel de Rothschild.

RYE.

Lauchlan Bellingham Mackinnon.

WALES.

ANGLESEA COUNTY.

Sir Richard Bulkeley Williams-Bulkeley, bt.

BEAUMARIS.

Hon. William Owen Stanley.

BRECKNOCK COUNTY.

Hon. Godfrey Charles Morgan.

BRECKNOCK.

Howel Gwyn.

CARDIGAN COUNTY.

Sir Thomas Davies Lloyd, bt.,

CARDIGAN, &c.

Edward Lewis Pryse.

CARMARTHEN COUNTY.

David Jones,
David Pugh.

CARMARTHEN, &c.

William Morris.

CARNARVON COUNTY.

Hon. George Douglas-Pennant.

CARNARVON, &c.

William Bulkeley Hughes.

DENBIGH COUNTY.

Sir Watkin Williams Wynn, bt.,
Robert Myddelton Biddulph.

DENBIGH, &c.

Townshend Mainwaring.

FLINT COUNTY.

Hon. (Richard de Aquila Grosvenor) Lord R. Grosvenor.

FLINT, &c.

Sir John Hanmer, bt.

GLAMORGAN COUNTY.

Christopher Rice Mansel Talbot,
Henry Hussey Vivian.

CARDIFF, &c.

James Frederick Dudley Crichton-Stuart.

SWANSEA.

Lewis Llewellyn Dillwyn.

MERTHYR TIDVIL.

Rt. hon. Henry Austin Bruce.

MERIONETH COUNTY.

William Robert Maurice Wynne.

MONTGOMERY COUNTY.

Charles Watkins Williams Wynn.

MONTGOMERY.

Hon. Charles Richard Douglas Hanbury-Tracy.

PEMBROKE COUNTY.

James Bevan Bowen.

PEMBROKE.

Sir Hugh Owen Owen, bt.

HAVERFORDWEST.

John Henry Scourfield.

RADNOR COUNTY.

Sir John Benn Walsh, bt.

NEW RADNOR.

Richard Green Price.

SCOTLAND.

ABERDEENSHIRE.
William Dingwall Fordyce.

ABERDEEN.
William Henry Sykes.

ARGYLESHIRE.
Alexander Struthers Finlay.

AYRSHIRE.
Sir James Fergusson, bt.

KILMARNOCK, RENFREW, &c.
Rt. hon. Edward Pleydell Bouverie.

BURGHS OF AYR, &c.
Edward Henry John Craufurd.

BANFFSHIRE.
Robert William Duff.

BERWICKSHIRE.
David Robertson.

BUTESHIRE.
James Lamont.

CAITHNESS-SHIRE.
George Traill.

WICK, KIRKWALL, &c.
Samuel Laing.

CLACKMANNAN AND KINROSS-SHIRES.
William Patrick Adam.

DUMBARTONSHIRE.
Patrick Boyle Smollett.

DUMFRIES-SHIRE.
George Gustavus Walker.

DUMFRIES, &c.
William Ewart.

EDINBURGHSHIRE.
Hon. William Henry Walter (Montague-Douglas-Scott) Earl of Dalkeith.

EDINBURGH
Duncan McLaren,
Rt. hon. James Moncreiff.

BURGHS OF LEITH, &c.
William Miller.

ELGIN AND NAIRNSHIRE.
Charles Lennox Cumming-Bruce.

BURGHS OF ELGIN, &c.
Mountstuart Elphinstone Grant Duff.

FIFESHIRE.
Sir Robert Anstruther, bt.

BURGHS OF ST. ANDREWS, &c.
Edward Ellice.

KIRKCALDY, DYSART, &c.
Roger Sinclair Aytoun.

FORFARSHIRE.
Hon. Charles Carnegie.

TOWN OF DUNDEE.
Sir John Ogilvy, bt.

MONTROSE, &c.
William Edward Baxter.

HADDINGTONSHIRE.
Hon. Francis Wemyss (Charteris) Lord Elcho.

HADDINGTON, &c.
Sir Henry Robert Ferguson Davie, bt.

INVERNESS-SHIRE.
Rt. hon. Henry James Baillie.

INVERNESS, &c.
Alexander Matheson.

KINCARDINESHIRE.
James Dyce Nicol.

KIRKCUDBRIGHTSHIRE.
James Mackie.

LANARKSHIRE.
Sir Thomas Edward Colebrooke, bt.

GLASGOW.
William Graham,
Robert Dalglish.

LINLITHGOWSHIRE.
Peter McLagan.

ORKNEY AND SHETLAND.
Frederick Dundas.

PEEBLES-SHIRE.
Sir Graham Graham Montgomery, bt.

PERTHSHIRE.
Sir William Stirling Maxwell, bt.

PERTH.
Hon. Arthur FitzGerald Kinnaird.

RENFREWSHIRE.
Archibald Alexander Speirs.

PAISLEY.
Humphrey Ewing Crum-Ewing.

GREENOCK.
Alexander Stirling Murray Dunlop.

ROSS AND CROMARTY SHIRES.
Sir James Matheson, bt.

ROXBURGHSHIRE.
Sir William Scott, bt.

SELKIRKSHIRE.
Hon. (Henry John Montagu-Douglas-Scott) Lord H. J. M. D. Scott.

STIRLINGSHIRE.
John Elphinstone Erskine.

STIRLING, &c.
Lawrence Oliphant.

FALKIRK, &c.
James Merry.

SUTHERLANDSHIRE.
Hon. (Ronald Charles Sutherland Leveson-Gower) Lord Ronald S. Leveson-Gower.

WIGTONSHIRE.
Sir Andrew Agnew, bt.

WIGTON, &c.
George Young.

IRELAND.

ANTRIM.
Edward O'Neill,
George Henry Seymour.

BELFAST.
Samuel Gibson Getty,
Charles Lanyon.

CARRICKFERGUS.
Robert Torrens.

LISBURN.
Edward Wingfield Verner.

ARMAGH.
Sir William Verner, bt.,
Sir James Mathew Stronge, bt.

ARMAGH (CITY).
John Vance.

CARLOW.
Denis William Pack-Beresford,
Henry Bruen.

CARLOW (BOROUGH).
Osborne Stock.

CAVAN.
Hon. Hugh Annesley,
Edward Saunderson.

CLARE.
Crofton M. Vandeleur,
Sir Colman Michael O'Loghlen, bt.

ENNIS.
William Stacpoole.

CORK COUNTY.
Nicholas Philpot Leader,
Arthur Hugh Smith Barry.

BANDON BRIDGE.
Hon. Henry Boyle Bernard.

CORK (CITY).
Nicholas Daniel Murphy,
John Francis Maguire.

KINSALE.
Sir George Conway Colthurst, bt.

MALLOW.
Edward Sullivan.

YOUGHAL.
Sir Joseph Neale M'Kenna, bt.

DONEGAL.
Hon. James (Hamilton) Viscount Hamilton,
Thomas Conolly.

DOWNSHIRE.
Hon. (Arthur Edwin Hill-Trevor) Lord A. E. Hill-Trevor,
William Brownlow Forde.

NEWRY.
Arthur Charles Innes.

DOWNPATRICK.
William Keown.

DUBLIN COUNTY.
Thomas Edward Taylor,
Ion Trant Hamilton.

DUBLIN (CITY).
Sir Benjamin Lee Guinness, bt.,
Jonathan Pim.

DUBLIN (UNIVERSITY).
Anthony Lefroy,
Rt. hon. Robert Richard Warren.

FERMANAGH.
Mervyn Edward Archdall,
Hon. Henry Arthur Cole.

ENNISKILLEN.
Hon. John Lowry Cole.

GALWAY COUNTY.
William Henry Gregory,
Hon. Hubert (De Burgh Canning) Viscount Burke.

GALWAY (BOROUGH).
Sir Rowland Blennerhassett, bt.,
George Morris.

KERRY.
Rt. hon. Valentine Augustus (Browne) Viscount Castlerosse,
Henry Arthur Herbert.

TRALEE.
O'Donoghue, Daniel (The O'Donoghue).

KILDARE.
Rt. hon. William Henry Ford Cogan,
Hon. (Otho Augustus FitzGerald) Lord O. A. FitzGerald.

KILKENNY.
George Leopold Bryan,
Hon. Leopold George Frederick Agar-Ellis.

KILKENNY (BOROUGH).
Sir John Gray.

KING'S COUNTY.
John Gilbert King,
Sir Patrick O'Brien, bt.

LEITRIM.
William Richard Ormsby-Gore,
John Brady.

LIMERICK.
Rt. hon. William Monsell,
Edmund John Synan.

LIMERICK (CITY).
George Gavin,
Francis William Russell.

LONDONDERRY.
Robert Peel Dawson,
Sir Frederick William Heygate, bt.

COLERAINE.
Sir Henry Hervey Bruce, bt.

LONDONDERRY (CITY).
Hon. (Claud John Hamilton) Lord C. J. Hamilton.

LONGFORD.
Myles William O'Reilly,
Fulke Southwell Greville-Nugent.

LOUTH.
Rt. hon. Chichester Samuel Fortescue,
Tristram Kennedy.

DUNDALK.
Sir George Bowyer, bt.

DROGHEDA.
Benjamin Whitworth.

MAYO.
Hon. (John Thomas Browne) Lord J. T. Browne,
Hon. Richard Camden (Bingham) Lord Bingham.

MEATH.
Matthew Elias Corbally,
Edward MacEvoy.

MONAGHAN.
Charles Powell Leslie,
Hon. Vesey (Dawson) Lord Cremorne.

QUEEN'S COUNTY.
Francis Plunket Dunne,
Rt. hon. John Wilson FitzPatrick.

PORTARLINGTON.
Rt. hon. James Anthony Lawson.

ROSCOMMON.
Rt. hon. Fitzstephen French,
The O'Conor Don.

SLIGO.
Sir Robert Gore Booth, bt.,
Edward Henry Cooper.

SLIGO (BOROUGH).
Richard Armstrong.

TIPPERARY.
Charles Moore,
Hon. Charles White.

CASHEL.
James Lyster O'Beirne.

CLONMEL.
John Bagwell.

TYRONE.
Rt. hon. Henry Thomas Lowry-Corry,
Rt. hon. (Claud Hamilton) Lord C. Hamilton.

DUNGANNON.
Hon. William Stuart Knox.

WATERFORD.
John Esmonde,
Edmond De La Poer.

DUNGARVAN.
Charles Robert Barry.

WATERFORD (CITY).
John Aloysius Blake,
Sir Henry Winston Barron, bt.

WESTMEATH.
William Pollard-Urquhart,
Algernon William Fulke Greville-Nugent.

ATHLONE.
Denis Joseph Rearden.

WEXFORD.
Sir James Power, bt.,
Arthur Kavanagh.

WEXFORD (BOROUGH).
Richard Joseph Devereux.

ROSS (NEW).
Charles George Tottenham.

WICKLOW.
William Wentworth-Fitzwilliam Dick,
Hon. Granville Leveson (Proby) Lord Proby.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

THIRD SESSION OF THE *NINETEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*
APPOINTED TO MEET 1 FEBRUARY, 1866, AND THENCE
CONTINUED TILL 19 NOVEMBER, 1867, IN THE THIRTY-
FIRST YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, November 19, 1867.

THE PARLIAMENT, which had been Prorogued successively from the 21st day of August to the 6th day of November, and thence to the 19th day of November, met this day for Despatch of Business.

The Session of PARLIAMENT was opened by Commission.

The HOUSE OF PEERS being met,

THE LORD CHANCELLOR acquainted the House,

"That Her Majesty, not thinking fit to be personally present here this day, had been pleased to cause a Commission to be issued under the Great Seal, in order to the opening and holding of this Parliament."

Then Five of the Lords Commissioners, namely — The LORD CHANCELLOR, The LORD PRESIDENT OF THE COUNCIL (The Duke of Marlborough), The LORD PRIVY SEAL (The Earl of Malmesbury), The Duke of Buckingham (The SECRETARY OF STATE FOR THE COLONIES) and The Earl of Cadogan, being in their Robes, and seated on a Form placed between the Throne and the Woolsack, commanded the Yeoman Usher of the Black Rod to let the Commons know "The Lords Commissioners desire their immediate Attendance in this House, to hear the Commission read."

Who being come, with their Speaker;

THE LORD CHANCELLOR said—

"My Lords, and Gentlemen of the House of Commons,

"HER MAJESTY not thinking fit to be present here this day in Her Royal Person, hath been pleased, in order to the opening and holding of this Parliament, to cause Letters Patent to be issued under Her Great Seal, constituting us and several other Lords therein named Her Commissioners, to do all things, in Her Majesty's name, on Her part necessary to be performed in this Parliament: This will more fully appear by the Letters Patent themselves, which must now be read."

Then the said Letters Patent were read by the Clerk. And then

The LORD CHANCELLOR said—

My Lords, and Gentlemen,

"In again applying to you for your Advice and Assistance, I regret that I have found it necessary to call for your Attendance at an unusual, and probably to many of you an inconvenient Season.

"The Sovereign of *Abyssinia*, in violation of all international Law, continues to hold in captivity several of My Subjects, some of whom have been especially accredited to him by Myself, and his persistent Disregard of friendly Representations has left Me no Alternative but that of making a peremptory Demand for the Liberation of My Subjects, and supporting it by an adequate Force.

"I have accordingly directed an Expedition to be sent for that Purpose alone, and I confidently rely upon the Support and Co-operation of My Parliament in My Endeavour at once to relieve their Countrymen from an unjust Imprisonment, and to vindicate the Honour of My Crown.

"I have directed that Papers on the Subject shall be forthwith laid before you.

"I receive from all Foreign Powers Assurances of their friendly Feelings, and I see no Reason to apprehend the Disturbance of the general Peace of *Europe*.

"A Band of *Italian* Volunteers, without Authority from their own Sovereign, having invaded the Papal Territory, and threatened *Rome* itself, The Emperor of the *French* felt Himself called upon to despatch an Expedition for the Protection of the Sovereign Pontiff and his Dominions; that Object having been accomplished, and the Defeat and Dispersion of the Volunteer Force having relieved the Papal Territory from the Danger of external Invasion, I trust that His Imperial Majesty will find Himself enabled by an early Withdrawal of His Troops, to remove any possible Ground of Misunderstanding between His Majesty's Government and that of The King of *Italy*.

"The treasonable Conspiracy commonly known as Fenianism, baffled and repressed in *Ireland*, has assumed in *England* the Form of organized Violence and Assassination. These Outrages require to be rigorously put down; and I rely for their effectual Suppression upon the firm Administration of the Law, and the Loyalty of the great Mass of My Subjects.

Gentlemen of the House of Commons,

"The Estimates for the ensuing Year are in course of Preparation, and will in due Time be laid before you. They will be framed with a view to Economy and to the necessary Requirements of the Public Service.

My Lords, and Gentlemen,

"As a necessary Sequel to the Legislation of the last Session, Bills will be laid before you for amending the Representation of the People in *Scotland* and *Ireland*.

"I have Reason to believe that the Commissioners appointed to inquire into and report upon the Boundaries of existing Boroughs, as well as of the proposed Divisions of Counties and newly-enfranchised Boroughs, have made considerable Progress in their Inquiries, and no Time will be lost after the Receipt of their Report in laying before you their Recommendations for your Consideration and Decision.

"A Bill will also be presented to you for the more effectual Prevention of Bribery and Corruption at Elections.

"The Public Schools Bill, which has already been more than once submitted to Parliament, will again be laid before you.

"The general Question of the Education of the People requires your most serious Attention, and I have no Doubt you will approach the Subject with a full Appreciation both of its vital Importance and of its acknowledged Difficulty.

"Measures will be submitted to you during the present Session for amending and consolidating the various Acts relating to the Mercantile Marine.

"The Exemption which the Country has now for some Time enjoyed from the Cattle Plague affords a favourable Opportunity for considering such permanent Enactments as may relieve the Home Trade from vexatious Restrictions, and facilitate the Introduction, under due Regulation, of Foreign Cattle for Home Consumption.

"Measures for the Amendment of the Law, which have been deferred under the Pressure of more urgent Business, will be submitted for your Consideration.

"Other Questions apparently calling for legislative Action have been referred to Commissioners, whose Reports, as they shall be received, shall, without Delay, be laid before Parliament.

"It is My earnest Prayer that all your Deliberations may be so guided as to conduce to the general Contentment and Happiness of My People."

Then the Commons withdrew.

Roll of the Lords—Garter King of Arms attending, *delivered* at the Table (in the usual Manner) a List of the Lords Temporal in the Third Session of the Nineteenth Parliament of the United Kingdom: The same was Ordered to lie on the Table.

Representative Peers for Ireland—Writs and Returns electing the Earl Annesley a Representative Peer for Ireland in the Room of the late Earl of Mayo, with the Certificate of the Clerk of the Crown in Ireland annexed thereto: *Delivered* (on Oath), and Certificate read.

The Lord Colchester—Sat first in Parliament after the Death of his Father.

SELECT VESTRIES.

Bill, *pro formâ*, read 1ª.

The LORDS COMMISSIONERS SPEECH having been reported by The Lord Chancellor;—

ADDRESS TO HER MAJESTY ON THE LORDS COMMISSIONERS' SPEECH.

Earl **BROWNLOW**: My Lords, in rising to move an Address to Her Majesty, in answer to Her Majesty's most gracious Speech, I must not omit to claim the kind indulgence of your Lordships for one of its youngest and most inexperienced Members; and I trust that the errors that I may commit, or any short-comings on my part, may be kindly attributed to want of experience and of knowledge of the ways of your Lordships' House.

My Lords, Her Majesty has been graciously pleased, in the Speech from the Throne, to bring before the attention of the House several most important matters. The first in order — and I think that I am right in saying the first in importance — is the Abyssinian Expedition. It comes home to the heart of every Englishman to feel that a number of our fellow-countrymen are languishing far from their country and their homes in the prisons of a half-civilized barbarian. I do not desire to follow minutely the ramifications of the Abyssinian question; but, at the same time, I feel that it is necessary for me to go back as far as the mission of Mr. Rassam. After the seizure of Consul Cameron and other prisoners, Mr. Rassam was sent to Abyssinia with a letter from Her Majesty, requesting the release of the captives. At first Mr. Rassam was exceedingly well received, and the captives were at one time actually delivered over to him. The King, however, expressed a wish, before the captives started on their homeward journey, that he should be reconciled to them; and for this purpose he sent for them to the Royal camp, when an apparent reconciliation between them and the King took place. The captives then returned to Magdala to await the approach of the season fittest for them to commence their homeward journey. At length, when the long wished-for time arrived, the captives started on their homeward journey to Massowah, and Mr. Rassam passed over with his suite to take leave of the King. On his arrival, he was asked by the King what had become of the prisoners? and he replied that they had started on their homeward journey. Upon this the King once more expressed his wish to be reconciled to the prisoners, and directed them to be again brought before him. They were for this purpose re-captured, put in chains, and brought before the King, when the form of reconciliation was gone through the second time. Shortly after, however, the King informed Mr. Rassam that he intended to detain them prisoners until the workmen and artizans he had asked for to instruct his people should arrive from England. Mr. Rassam was compelled to write a despatch to this effect; and the King sent one of the prisoners (Mr. Flad) to be the bearer of the letter to England. Such was the state of affairs when the present Government came into office. Mr. Flad returned to England with this letter, and a number of workmen and artizans were engaged to proceed to Abyssinia, under the charge of Colonel Merewether, who proceeded with them. Colonel Merewether, on arriving at Massowah with the artizans, refused very properly to allow them to go up the country, and be thus placed in the hands of the King, before the prisoners were released — and therefore he established them at a place near Massowah until he could obtain further information. Colonel Merewether sent a message to the King informing him that the presents from Her Majesty and the artizans had arrived, but that they would not be forwarded until the prisoners were released. The King, in reply, wrote to Colonel Merewether requesting that the presents and the artizans might be immediately forwarded to him, but he did not in any way refer to the release of the captives. Colonel Merewether, therefore, wrote to the King again, informing him that the presents and the workmen could not be permitted to proceed up the country until after the liberation of the prisoners. No notice having been taken of this communication, the noble Lord at the head of Foreign Affairs wrote a letter to King Theodore, expressing the great disappointment of Her Majesty that the prisoners had not been liberated, and informing him that if their release did not take place within three months he would forfeit Her Majesty's friendship. At a later date, the noble Lord at the head of Foreign Affairs again wrote to the King of Abyssinia, informing him that we had resolved, if necessary, to resort to force in order to procure the release of the captives. Your Lordships will perceive, from the statement I have made, that there has been no desire on the part of Her Majesty's Government to bring on a war with unnecessary rapidity; that before they resolved to use force they had exhausted every peaceable means in order to procure the release of the prisoners. Letters were written and presents were sent without avail, and it was only when every peaceable means had failed that it became necessary for Her Majesty's Government to vindicate the honour of the country by demanding by force that which King Theodore had refused to concede to peaceable means—the release of the prisoners. It was considered necessary, by competent judges, that Indian troops should be employed upon this campaign; but as Parliament was not then sitting, it was impossible to obtain the sanction necessary for the employment of Indian troops upon foreign service. Under these circumstances, Her Majesty's Government took upon themselves the responsibility of adopting active measures, trusting that at the earliest opportunity Parliament would give their approbation to those active measures which they deemed it absolutely necessary for them to pursue.

My Lords, the friendly relations of this country with foreign Powers is necessarily a source of national gratification. The wise and careful policy of the noble Lord at the head of Foreign Affairs has placed this country in such a position that at no time in its history has the friendship and goodwill of England been more earnestly desired than it is at the present moment. Not only are we at peace with the great Powers of Europe, but they are happily at peace with one another. Some of those great Powers having passed through a short though sanguinary war, are now resting upon their arms, and I heartily trust that this calm will be a lasting one. Some interruption has, no doubt, been caused to the peace of Europe by an attempt on the part of a band organized in Italy, who have, acting totally without the authority of their Sovereign, entered the Papal States; but His Imperial Majesty the Emperor of the French, by a prompt expedition and by allowing the French troops to act in concert with the Papal army, has been enabled, after fighting only one battle, to restore tranquillity to that part of Europe.

My Lords, the treasonable conspiracy, which is commonly known as Fenianism, born in a far-off country and nurtured in Ireland, has unhappily of late spread to some few districts in England where its appearance has been characterized by wicked and blood-thirsty outrages; but it is gratifying to find that in no single instance have the English people exhibited the slightest sympathy with Fenianism. It is therefore to be hoped, my Lords, that no extraordinary measures will have to be resorted to to put down attempts of so very vague and isolated a character.

My Lords, after the great measure of Reform passed during the late Session of Parliament for this country, it no doubt becomes necessary to bring in Bills to amend the representation of the people in other parts of the United Kingdom. This is the necessary sequel of the great measure passed last Session. The attention of the House is earnestly called by Her Majesty to a measure for the education of the people. The question of education is no doubt one of great importance. In Ireland there is now a Commission at work inquiring into the subject, and has proceeded to some extent in its labours. In the interim, however, the subject is so vast that I cannot help thinking there is an enormous amount of statistical information which will have to be obtained before we can deal satisfactorily with the question.

My Lords, it is a matter of great congratulation to this country that the cattle plague which had so long prevailed has at length subsided. The cattle trade of this country has, of necessity, been greatly trammelled and hampered by the unavoidable checks which have been imposed. Now, however, the disease has died out, and with its disappearance there is every hope that these impediments may be removed. The removal of such impediments will be of the greatest possible service and advantage to the country.

Such, my Lords, are the important matters to which Her Majesty has called the attention of this House in the gracious Speech from the Throne. My Lords, I heartily beg to thank you for the kindly attention you have afforded me; and I beg your Lordships' leave to move the following humble Address, thanking Her Majesty for the gracious Speech which She has addressed to us from the Throne:—

MOST GRACIOUS SOVEREIGN,

"WE, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to offer our humble Thanks to Your Majesty for Your Majesty's gracious Speech.

"WE humbly thank your Majesty for the gracious Expression of your Regret that You have found it necessary to call for our Attendance at an unusual, and, as Your Majesty is pleased to say, probably at an inconvenient time.

"WE regret to learn that the Sovereign of *Abyssinia*, in violation of all international Law, continues to hold in captivity several of Your Majesty's Subjects, some of whom have been especially accredited to him by Your Majesty, and that the persistent Disregard by that Sovereign of friendly Representations has left Your Majesty no Alternative but that of making a peremptory Demand for the Liberation of Your Subjects, and of supporting it by an adequate Force. We thank Your Majesty for informing us that an Expedition has been sent accordingly for that Purpose alone, and Your Majesty may confidently rely on the

Support and Co-operation of Parliament in Your Endeavours at once to relieve our Countrymen from an unjust Imprisonment, and to vindicate the Honour of Your Crown.

"We thank Your Majesty for informing us that Papers on this Subject will be forthwith laid before us.

"We rejoice to learn that Your Majesty's Relations with Foreign Powers are friendly and satisfactory, and that your Majesty sees no Reason to apprehend any Disturbance of the general Peace of *Europe*.

"We thank Your Majesty for informing us that the Invasion of the Papal States by a Band of *Italian* Volunteers, without Authority from their own Sovereign, has led to the Dispatch of an Expedition by His Majesty the Emperor of the *French* for the Protection of the Sovereign Pontiff and his Dominions. We join with Your Majesty in trusting that as the Object of the Emperor has been accomplished, and as the Defeat and Dispersion of the Volunteer Force has relieved the Papal Territory from the Dangers of external Invasion, His Imperial Majesty will find Himself enabled, by an early Withdrawal of his Troops, to remove any possible Ground of Misunderstanding between His Majesty's Government and that of The King of *Italy*.

"We learn with the deepest Regret that the treasonable Conspiracy, commonly known as Fenianism, baffled and repressed in *Ireland*, has assumed in *England* the Form of organized Violence and Assassination. We concur with Your Majesty that such Outrages as have been committed require to be rigorously put down; and we are confident that Your Majesty may rely for their effectual Suppression upon the firm Administration of the Law and the Loyalty of the great Mass of Your Subjects.

"We humbly thank Your Majesty for informing us that as a necessary Sequel to the Legislation of the last Session, Bills will be laid before us for amending the Representation of the People in *Scotland* and in *Ireland*.

"We rejoice to learn that Your Majesty has Reason to believe that the Commissioners appointed to inquire into and report upon the Boundaries of existing Boroughs, as well as of the proposed Divisions of Counties and newly-enfranchised Boroughs, have made considerable Progress in their Inquiries, and that no Time will be lost after the Receipt of their Report in laying before us their Recommendations.

"We thank Your Majesty for informing us that a Bill will be presented to us for the more effectual Suppression of Bribery and Corruption at Elections, and that the Public Schools Bill, which has been already more than once submitted to Parliament, will again be laid before us.

"With Your Majesty we are of opinion that the general Question of the Education of the People requires the most serious Attention of Parliament; and Your Majesty may rely upon our approaching the Subject with a full Appreciation of its vital Importance and acknowledged Difficulty.

"We thank Your Majesty for informing us that Measures will be submitted to us during the present Session for amending and consolidating various Acts relating to the Mercantile Marine; and with Your Majesty we hope that the Exemption which the Country has now for some Time enjoyed from the Cattle Plague will afford a favourable Opportunity for considering such permanent Enactments as may relieve the Home Trade from vexatious Restrictions, and facilitate the Introduction, under due Regulations, of Foreign Cattle for Home Consumption.

"We thank Your Majesty for informing us that Measures for the Amendment of the Law, which have been deferred under the Pressure of more urgent Business, will be submitted to us; and that other Questions apparently calling for legislative Action have been referred to Commissioners, whose Reports will be laid before us as soon as they may be received.

"With Your Majesty we earnestly pray that all our Deliberations may be guided so as to conduce to the general Contentment and Happiness of the People."

Lord HYLTON rose to second the Address, and said: My Lords, the subjects which are recommended to our notice in the gracious Speech from the Throne have been so well touched upon by the noble Earl, that I feel I have no claim whatever to your Lordships' attention; but I would ask your sympathy on the ground that I undertake this duty at the close of long political services. Now, my Lords, we are called together, as the noble Earl has said, under peculiar circumstances, and at a very unusual period of the year. No doubt it would be the duty of any Government—and it would be, no doubt, in accordance with the wish of Her Majesty herself—to ask the advice of Her Parliament before undertaking, as Her Majesty has unfortunately been compelled to do, any extensive hostile operations in a distant part of the world; but in this case, my Lords, it also appears that the summoning of Parliament is a constitutional necessity.

It seems that by the Act of 1858, for regulating the Government of India, the sanction of Parliament must be obtained before Her Majesty's Indian army can be employed in military operations out of India; and therefore it was necessary, in a constitutional point of view, to call Parliament together to obtain that authority. The events connected with the detention of our fellow-subjects in Abyssinia have been known for years past, and have provoked very general feeling of sympathy and indignation. Much dissatisfaction has been felt at the delay that has already occurred, and at the length of time such a reproach to our honour has been sustained. Some of our fellow-subjects in that country, including an accredited agent, have been detained for years past in prison. In 1865—and even in 1864—the noble Earl who was then Secretary of State for Foreign Affairs admitted that there was a possible necessity for undertaking some strenuous measures for their liberation, and stated that he was fully prepared to take such steps as might be found necessary for the purpose. But the noble Earl objected at that time to sending a mission to Abyssinia, because he thought it derogatory to the honour of this country to send such a mission while our accredited agents were held in captivity, and he naturally determined to exhaust every effort before resorting to any military demonstration which might partake of a hostile character. Well, my Lords, this state of things continued up to the time when the present Government came into office, and then inquiries were instituted and agents were sent out from this country. Every effort, however, has failed, and it has become evident that there is no other hope of obtaining a release of the prisoners but by a military and a hostile demonstration. No doubt, my Lords, the military and other resources of this country will be severely taxed in carrying on a war in so remote a region as Abyssinia, and in a country of which so little is known, or of which, at all events, so much has to be learnt. We can hardly expect to thoroughly overcome every difficulty connected with the country and the climate, and to be as well forearmed against the difficulties as we should be if we were properly forewarned of their existence. But I have great confidence in the exertions which the Government are taking to secure success in this direction. Of one thing I feel quite certain—that our Anglo-Indian forces will maintain their ancient renown, and show that they are fully equal to any duties which they may be called upon to perform. However much, therefore, we may regret that our troops should be called upon to act under such circumstances, it would be still more a matter of regret if anything were neglected on the part of this great country which could secure the success of the expedition. I feel sure that it is the general disposition of Parliament and of the country to afford to Her Majesty every possible assistance and aid.

My Lords, to a commercial country like ours it is always a matter of the greatest importance that we should be on terms of accord with the other nations of Europe; and at no time, I believe, has a more cordial or friendly feeling between us and the great Powers of Europe and other countries of the world existed than exists at the present moment. I was much struck the other day with the words of hope which were conveyed in the speech made by the Emperor of the French on receiving the distinguished diplomatist accredited to his Court by Her Majesty; for I thought that they implied that France and England will act cordially together for the maintenance of universal peace, and for the repressing (should it be necessary) of overweening ambitions, and that they will strive to promote these ends both by their counsel and example. The state of alarm which had arisen from the late unfortunate situation of affairs in Italy, to which Her Majesty refers in her Speech, has, I am happy to say, passed away almost as suddenly as it had arisen; and there is no doubt that some solution will be found by which the future peace of Italy can be secured and preserved.

My Lords, with regard to that sad, useless, and hopeless conspiracy which has broken out in some parts of Ireland, and which has now caused so much uneasiness in this country, I do hope that the firmness of the Government and the loyalty of Her Majesty's subjects will enable them to suppress and uproot it altogether. It is a movement which appears to me not only to frustrate all the hopes and wishes of those who promoted it, and to render the grievances of Ireland less easy of approach, but it concerns us all, inasmuch as it must lead in this country to far more strict police regulations, even to the arming of the police, in order to enable the Government to perform their first duty—to protect Her

Majesty's loyal subjects. My Lords, the passing of a Reform Bill for England has, of course, rendered it necessary that similar measures should be considered with reference to Ireland and Scotland, and I hope that the representation of those countries will be dealt with in the same liberal measure as that which was applied to England a few months since. I can only hope that those measures will be speedily brought before Parliament, and that they may tend to the satisfaction of every part of Her Majesty's dominions. The Commission which has to decide on the boundaries of the counties, boroughs, and cities of England, Her Majesty informs us, will soon be ready with their Report; and, no doubt, when that Report has been delivered, legislation will immediately take place on the subject. I know that that Report is looked forward to with considerable interest; I trust it will receive impartial consideration from your Lordships, and that it will be received with satisfaction by those whom it affects. It has, my Lords, been a standing reproach and scandal to this country that hitherto we have been unable to deal effectually with bribery at elections; and therefore I am sure any measure that will get rid of that evil will be most favourably regarded by the community. I trust, therefore, that such a measure will be speedily brought before the other House. Again, my Lords, the education of the country is one of the most important subjects to which the attention of Parliament can be directed. A measure connected with public schools has twice already been before Parliament. The question of the general education of the country is becoming every day more and more important. I am sorry, however, to say that the information on the subject is still incomplete, and it is not likely to be dealt with this Session as a general measure. But in Scotland the subject is much further advanced. A scheme of general education is there much more matured, and I trust that a Bill on the subject will be brought forward and passed during the present Session. There can be no doubt that a measure for consolidating the various Acts relating to the Mercantile Marine, even if it does no more than consolidate those Acts, will be a very great benefit to the shipping interest and to the commercial community. I am therefore glad to find that a measure of this description is about to be introduced. With reference to the cattle plague, I rejoice to learn that some general measure is to be brought forward. I have no knowledge of the nature or principle of the measure which the Government are about to propose on that subject; but as the result of my individual experience, I may state that the country has suffered extremely from foreign diseased cattle being introduced and driven from the different ports to be slaughtered. Not only so, but in the early period of cattle plague they were driven to neighbouring fairs, and thus spread the disease through whole provinces of the country. This is an evil which I hope will be properly guarded against in future, by arrangements being made for slaughtering cattle at the ports of their arrival. At any rate, I think we have a right to ask of the Government some measures calculated to make us more secure than we have hitherto been. With regard to the remaining portions of Her Majesty's Speech, it is not necessary that I should detain your Lordships. I have now only to thank your Lordships for the patience with which you have listened to one who feels he has little claim on your indulgence. I will conclude with one observation: I am sure you will all unite in the prayer that Her Majesty may long be preserved to rule over a contented and happy people. I beg to second the Address which has been moved by my noble Friend. [*See Page* 10.]

EARL RUSSELL: My Lords, the Address to the Throne having been moved and seconded with great judgment and propriety by the two noble Lords who have addressed your Lordships, I rise to make a few comments on the topics contained in the Royal Speech. In the first place, I think that Her Majesty's confidential servants, having arrived at the opinion that it was necessary to use force in Abyssinia—in short, to make war on the kingdom of Abyssinia—there can be no doubt as to the propriety of their advising Her Majesty to call Parliament together, even if it must be at an inconvenient season of the year. If I have any doubt on the subject it would be whether Parliament should not have been called together rather earlier than at the present time. But, in the next place, as to the important matter which has been the occasion of bringing Parliament together, in regard to the warlike expedition to Abyssinia, I should say there are two questions requiring consideration. The first question is, whether we are justified by the conduct of the Sovereign of Abyssinia in considering it as a *casus belli;* and second, whether it is expedient and advisable to make a large military expedition the means of recovering the captives? With regard to the first question, I think there can be no doubt whatever. I consider the conduct of the Sovereign of Abyssinia to our fellow-subjects so outrageous, so contrary not only to every principle of International Law, but to every dictate of justice in regard to other nations, that it was impossible that Her Majesty's Government should not consider it a cause of war. But, with regard to the second question, if I feel any doubts they are doubts suggested towards the end of last Session by the noble Lord the Secretary of State for Foreign Affairs, rather than any doubts of my own. There can, I think, be no apprehension whatever in regard to our troops, not only that they will conduct themselves well, but that they will overcome any military resistance likely to be made by the troops of that Sovereign. But the difficulties stated by the noble Lord to which I have referred were difficulties in regard to the nature of the roads, to the want of water, and to the great mountain ranges the troops have to pass before they can reach the place where the captives are confined. There was likewise a difficulty in regard to the want of water during their short march into the interior. These were difficulties which the noble Lord said, very justly, would require further inquiry and consideration before the decision of Her Majesty's Government was taken. But if there was any doubt on the subject, the question arises as to the consideration it received from Her Majesty's Government. I am willing to presume that, having certainly no interest in sending such an expedition, they are likely to be correct in the conclusion to which they have come; but I suspend my judgment as to their ultimate decision until I know more of the grounds on which they have acted, and until we know that the information the noble Lord has since obtained leads to the conclusion that the expedition is likely to be successful. I have had great satisfaction in seeing it stated in Her Majesty's Speech that the expedition has been sent to Abyssinia for the specific purpose of the recovery of the captives and "for that purpose alone." I am very glad that none of those speculations which appeared from time to time in some of the public papers as to the occupation of Abyssinia and our meddling with the internal affairs of that country and putting another King on the Throne who would be a better Sovereign than the present—that none of these speculations form any part of the object of the Abyssinian expedition. I am glad to see that Her Majesty's Government do not apprehend any disturbance of the peace of Europe; and therefore those rumours which prevailed some time ago that there was likely to be an international war in the spring are, happily, totally without foundation. I come next to that subject treated at some length in the Speech, and which to me is of very peculiar interest — namely, the events which have taken place in Rome and the Papal Territories. The interference of the French in Rome, which led to the employment of a military force and the use of the new French weapon, is a subject of very melancholy consideration. I do not say or suppose that the Emperor of the French has violated the Convention of September; but there is an Article in the Convention which is likely to give rise to what diplomatists call "a complication" — namely, the Article which recognises the right of the Pope to enlist the subjects of foreign Powers as his troops, and to use them accordingly. Now, if these foreign subjects—be they French or Belgians — are entirely at the disposal of the Pope, and if no foreign Governments took any interest in them, the power of enlisting them could hardly be denied to the Sovereign of Rome; but when we find the French soldiers commanded by a French General, and that the French Minister of War considered that these soldiers were to be punished for military offences, and be deemed in other respects as part of the great army in France, then I think such a condition of things is likely to lead to this consequence—that if ever a dispute should arise between the inhabitants of the Roman Territory and those soldiers, and if the soldiers should be in any great danger, then, with the natural military feeling of France, a great demand would certainly be made on the Emperor by the French people to send troops to Rome to vindicate the honour of their flag and to relieve the troops that had enlisted in the Pope's service. I do not see that the fact of the troops wearing a different cockade and perhaps a different uniform from the French would prevent that feeling from arising and render it almost a necessity to despatch troops to Rome. For my part, I consider all these interventions in the internal affairs of other countries as injurious to the interest of Europe and inconsistent with every principle we have professed. I remember that more than forty years ago Mr. Canning instructed the Duke of Wellington when he went to the Congress of Verona to the effect that, if any question should arise about interfering in the internal disputes in Spain, His Majesty would never be a party to enter into a Convention to interfere by force of arms. That was proper language for the English Minister to use, and I trust that the present Government will use similar language should any similar question arise. But I suppose there need be no secresy or reserve as to the project of a Conference at present with respect to the affairs of Rome. I cannot conceive how there should be any such Conference. It is a matter which must be left to the King of Italy and the Pope to settle between themselves. The King of Italy is sure to pay great respect to the Pope as a temporal Sovereign, and as a spiritual Sovereign the Pope will be secure in the affections of the whole Italian people. If that be so, I can see no use in any Conference; but if there should be one, I should be glad to know whether Her Majesty's Government proposed to take any part in it. The next topic in Her Majesty's Speech relates to "the treasonable conspiracy commonly known as Fenianism." With respect to that I agree in what is in the Speech that, "baffled and repressed in Ireland, it has assumed in England the form of organized violence and assassination." I cannot but think that—be it the fault of whom it may—very culpable negligence was shown in Manchester in not properly guarding the State prisoners when they were taken to the police-office and when they were sent back to prison. The men Deasy and Kelly were known in Ireland to be two of the principal persons engaged in Fenianism. It has always been understood that while Stephens was the man of organization, Kelly was the man of action and courage; and, such being known, it is surprising that the Government had not provided a sufficient escort of military and armed police to accompany the prisoners in Manchester, and so prevented the lamentable occurrence in which the murder of Serjeant Brett took place. The Chancellor of the Exchequer has spoken of a lawless spirit being abroad, and it cannot be denied that there is some truth in that observation; and, such being the case, it behoves the Government, and especially the Secretary of State for the Home Department, to see that there is no laxity or want of vigilance in the administration of the law, and that, when great offenders are arrested for the purpose of being sent to trial, no such negligent guard should be placed over them as might permit of their escape or rescue. No doubt, as stated in the Royal Speech, Her Majesty may safely rely for the effectual suppression of those outrages on the firm administration of the law and the loyalty of the great mass of Her subjects. There is no great question in this country as to the loyalty of the greater part of Her Majesty's subjects, and even in Ireland I should say the great majority of the people are opposed to the evil-disposed who foster and promote the Fenian outrages. The next topic in Her Majesty's Speech has reference to Bills for amending the representation of the people in Scotland and Ireland. I take for granted that those Bills will be founded on the same principles as the Bill of last Session referring to England. The discussion, therefore, on the subject had better be reserved until the time when we shall know something more of the Bills. There are, however, two remarks which I desire to make, one of them applying to Bills and the late period of the Session at which many of them come up to the House of Lords; but I refer more especially to the Reform Bill of last year. I think it very inconvenient that the House of Commons should go on from the beginning of February till the middle of July discussing Bills of great importance, and that it should not be until the month of July that such measures should be brought under your Lordships' consideration. I see that at a great meeting of some 2,000 working men a member of the Cabinet made it a matter of boast that your Lordships were allowed so much freedom in the consideration of the Reform Bill of last Session. Now, it was on the 16th of July that the Bill was introduced in your Lordships' House, and by that time many of your Lordships had had enough of the London season, and had gone into the country for recreation. The Bill was considered for a fortnight, and when a noble Friend of mine, not at present in his place (Earl Grey), wished to amend it in some particular, and made for that purpose a proposal which was not only rational in itself, but which met with the support of a great proportion of your Lordships, he was met by a somewhat obscure but intelligible threat from the noble Earl at the head of the Government to the effect that that was the 1st of August, and that if the Amendment were carried he must withdraw the Bill altogether, and consider what further steps should be taken. After that many Conservative Peers who had intended to support the Amendment were a good deal frightened by the menace, and did not know what might happen. The Bill might have been withdrawn, and those noble Peers might have had to bear the brunt of invectives spread broadcast through the whole country, and it might have been said that an excellent Bill was introduced, but that the House of Lords obstructed the passing of the measure, which, accordingly, was obliged to be withdrawn. Certainly, when a Bill changing the whole Constitution was brought into the House of Lords on the 16th of July, and when their Lordships were told on the 1st of August that they could not consider the subject further, or inquire into the value of any Amendment, I do not think that a very ample power of discussion was allowed them, or that it could be made any great matter of boast by the Member of the Cabinet (Lord John Manners), who spoke at the Crystal Palace with so much concern for your freedom of deliberation. Another observation I wish to make in reference to this matter. The noble Earl opposite (the Earl of Derby) exercises a power which many eminent men—Pitt, Castlereagh, Canning, Wellington, and Peel, among others—have wielded before. All those eminent men had to introduce important measures. Mr. Pitt introduced the Bill for effecting the union with Ireland, and the Duke of Wellington introduced the Roman Catholic Emancipation Bill, both introducing the subjects with proper solemnity and great force of expression. I allude more especially to the great speech of Mr. Pitt in introducing the Bill for the union of Ireland. "Here," he said, "is a measure of great importance, which I will show you by argument will conduce to the benefit of this country and of Ireland, will strengthen the Crown, and promote the happiness of the Irish people. It will promote their freedom, augment their riches, and be a great step in the progress and prosperity of the country." That was language such as every one of those statesmen used, and it enabled them to carry their measures. Well, did the noble Earl take any such line? What did he tell us? He said, "I did not think it likely we should remain in office unless we brought in this measure. I do not like to hold office merely as a stop-gap, and therefore I proposed a measure which I thought would have a chance of being passed;" and he added that whether good or bad he would introduce this great measure. In doing so the noble Earl acted, I must say, in a manner very unlike any of those great men of whom I have spoken, in a manner, too, I think not very becoming the position which he holds in this country, and hardly respectful to the Crown, to your Lordships, or to the other House of Parliament. I would, therefore, venture to suggest to him that when he brings forward the Scotch and Irish Reform Bills, he should endeavour to find some argument to show that, in his opinion, those measures are calculated to conduce to the public benefit, and would tend to make the people of Scotland and Ireland happier and freer than they are at the present moment. It would be much better, in my opinion, that the noble Earl should be able to do that than that he should merely inform us that he was about to take two further leaps in the dark—"number two and number three." There is another fertile topic—so fertile a topic that I shall barely touch upon it now—which has been discussed a great deal in public, and which ought, I think, to be duly considered by both Houses of Parliament, and that is, what do these measures of Reform imply, and what is the course of legislation which they render it expedient to adopt? I, for one, cannot agree with the noble Earl opposite, whom I understood to say that he was quite satisfied with the course of legislation under that Bill of 1832, and that he had no wish to see a change in that respect. So far, indeed, as the general tenour of our legislation is concerned, I concur in the sentiment; but I am, at the same time, of opinion that of late years the pace of the legislation on important subjects has not kept up with the want, which must exist in a great country like this, of measures to provide against new evils and to confer new benefits. Generally speaking, therefore, I think the line we should adopt should be that we should be predisposed and even anxious to introduce every improvement that is consistent with the Constitution of the country, while prepared at the same time to examine every innovation proposed, and when we find it inconsistent with that Constitution to reject it. When Lord Grey was about to introduce a Reform Bill, he advised his Sovereign, William IV., to use this language in addressing Parliament—

> "I feel convinced you will adhere to the principles of the Constitution, by which the prerogatives of the Crown, the privileges of the two Houses of Parliament, and the rights and liberties of the people are equally secured."

That was becoming language in the King of this country to use—that was becoming advice on the part of an English Prime Minister to give—and I trust that whatever your Lordships may do you will regard those words as still prevailing, and as still having weight in your deliberations. For my own part, I am convinced that everything which the people can wish, that all the freedom they can enjoy, is compatible with the forms of the English Constitution. I do not wish to see their rights, or the prerogatives of the Crown, or the privileges of the two Houses of Parliament in any way diminished, and by paying due regard to each of these considerations, you will, I believe, have established the proper limits for the improvements which you may desire to set on foot. There is another subject mentioned in the Speech from the Throne to which I wish, before I sit down, briefly to advert—I allude to the subject of Education. That is a subject upon which I am anxious to know something of the views of the Government beyond what can be learnt from the vague expressions in the Royal Message. I have, I may add, views of my own with respect to it, which I intend to submit to your Lordships' notice on a future occasion. I propose then, following the example set by Lord Brougham in 1835, to lay some Resolutions with regard to the question of Education before your Lordships, not with the purpose of pressing you to adopt them should they not meet with your approval, but rather with the object of eliciting some discussion on a matter which is, perhaps, beyond all others of interest to the people of this country, not only in the present, but in the future, before it comes to be dealt with in the shape of a Bill. I will simply add that I do not see how any one can object to the terms of the Address which is now under our consideration, and I, for one, am prepared to give it a cordial assent.

THE EARL OF HARDWICKE said, he desired to express the satisfaction it gave him to witness the unanimity of feeling which seemed to prevail in their Lordships' House on the subject which had mainly led to their being assembled together at that season. The noble Earl who had just sat down (Earl Russell), had expressed himself on that subject in terms which, proceeding from the Leader of the Opposition, must be looked upon as of great importance, and as evincing, on his part, the display of a wise judgment; and the noble Earl's opinion would have great weight with the country. For himself, he looked upon the expedition against the King of Abyssinia as necessary to the maintenance of the national dignity; for it must be borne in mind that we had not in his case to deal with a civilized Power like those of Europe, with whom our differences might be arranged by means of diplomacy, but with the head of a savage nation, who could be brought to do what was just and right only by an exhibition of warlike strength. In such a case the difficulties to be encountered were small as compared with the injurious consequences which would result from allowing the impression to prevail that a barbarous people might commit such transgressions against us as King Theodore had done with impunity. It was not, however, necessary to dwell upon the subject. Passing from that subject, the noble Earl (Earl Russell) had found himself compelled to fall back on a very ancient topic, with which he had for many years been so intimately connected—the state and condition of the Constitution of this country—and he complained of the insufficient time which had been allowed to their Lordships' House for their deliberations; and he moreover touched on the discussions of last year with respect to the great measure of Reform which had been passed, and which it was to be hoped had effected a settlement of that important question. He (the Earl of Hardwicke), for one, thought it ill became the noble Earl who so long sat in the councils of his Sovereign to deal with that subject in a way which might soon again lead to irritating discussions with respect to it. He himself had not been a very warm advocate of the Bill of last year, but he thought the question settled by the passing of the Act; and now that it was the law of the land he was prepared to stand by it and defend it; and he hoped also to see the Bills for Scotland and Ireland brought to the same satisfactory conclusion. Were they going to raise the same feelings again as had existed against the Government during the last Session, because, having passed an English measure, the Government felt themselves bound to proceed with the other measures? The noble Earl knew perfectly well that if the Constitution of this country was to work well, it must be justly and evenly balanced, and must be carried out in Scotland and Ireland as it was in England. He should not have gone back to this question had not the remarks of the noble Earl led to it. Did the noble Earl for a moment believe that when the Government and Sovereign of this country departed (to use a nautical term) from the anchorage of a £10 suffrage, they could find ground anywhere but in household suffrage? The noble Earl could not believe any such thing. Another subject of great importance, which was mentioned in the Royal Speech, was that of education. They had heard a great deal of clap-trap talked, both in and out of Parliament, with respect to the necessity of educating the people. He himself was of opinion that the Legislature had for years been judiciously endeavouring to give the people as much education as they could swallow. It would be wise not to attempt to give more education to the working man than he had time to acquire; and if they gave him the knowledge which enabled him to read and write — if they gave him the knowledge which enabled him to read his Bible and understand his religion, it was quite sufficient, and a man of natural talent and ability would be able to help himself to acquire knowledge. But if they expected that fancy schemes, such as they heard extolled, were practicable—if they expected that the poor and working man could be educated in the same manner and to the same extent as the rich citizen—they would labour under a very great mistake. Those who advocated such a thing talked nonsense. He observed that some people were anxious to lead the working men to suppose that the Legislature was prepared to educate them by force, and use all compulsory means within their power for that purpose. The whole question was one which, along with others, they would be called upon to discuss at a future period during the present Session; and he would therefore, on the present occasion, not trouble their Lordships with any further remarks.

THE EARL OF CARNARVON: My Lords, I will not detain your Lordships beyond a very few moments; but I am desirous of taking the first opportunity of saying a few words on one point of great importance which is referred to in Her Majesty's Speech—namely, that relating to the Abyssinian expedition. My Lords, I think we must all admit, as the noble Earl opposite (Earl Russell) put it, that there will be very great difficulties incident to this enterprize—difficulties connected with roads, or rather routes, with transport, with the commissariat, with the climate, and other matters incident to the march of an army through such a country. Besides that, there must also be a very great expenditure incurred; and beyond that, there must be many further and future contingencies which it is right that Parliament should take into its consideration. You have to take into account —and doubtless Her Majesty's Government has considered all these points, and will, when the proper time arrives, give us all the details—you have to take into account the possibility of a retreat into the interior on the part of King Theodore, on the advance of your army into his territory, and the extreme difficulty of inland operations in such a country; you have to take into account—that which I hope is improbable—the massacre of the captives themselves. My Lords, I do not say that these are difficulties which ought of themselves to interfere with such an expedition; but they no doubt are difficulties. Moreover, I see that in the Speech it is stated that this expedition is undertaken for the sole purpose of liberating the captives. Well, I trust that hope may be realized. But, on the one hand, circumstances which you cannot now foretell may arise which may oblige you to protract your operations. On the other hand, if circumstances do not so arise, it may be that society—if you can speak of society in such a country as that—may absolutely fall to pieces from this expedition, and such positive anarchy may ensue as that an Egyptian annexation of Abyssinia, or of a part of it, may be effected. These are all, no doubt, serious considerations, and I dare say Her Majesty's Government has taken them into view. I confess, my Lords, there is a doubt in my mind, if I may be permitted to express it—and the noble Earl at the head of the Government must be perfectly aware of the opinion I entertain on this subject, for it has been often expressed—my doubt has been, and is, whether war upon this scale, and such a campaign as we have now embarked in, was the sole alternative that presented itself to us. My Lords, I must say I doubt considerably whether the course which has been taken was altogether the only course, or the most expedient course, that could have been adopted. You sent out, in the first instance, Mr. Rassam. Well, it was my good fortune to know Mr. Rassam some years ago, to be personally well acquainted with him, and I formed a very high opinion indeed of the tact and ability which he showed in the management of wild races. But, at the same time, you sent him out rather as a commercial traveller, rather as a "bagman" almost, than as an envoy representing Her Majesty. Mr. Rassam went out without any of that pomp or circumstance which not only impresses but is absolutely essential in dealing with Oriental people, and you imposed on him, I think, an almost impracticable task. I think he discharged his duties admirably as far as they went, with one single exception, and that exception was the acceptance of money on his part from the King of Abyssinia. I regret that Mr. Rassam accepted any money from the King. I think it placed Mr. Rassam at once in a false position as the accredited envoy of Her Majesty. At the same time, the circumstances under which he went out placed him in such a situation that he was almost compelled to accept that money, not for himself, but for the purposes of his mission, and it was a fault, perhaps, excusable on his part. My Lords, I observe that in the Papers which have been laid before Parliament there is evidence of an opinion of this kind being entertained by two of the most competent officers who have great experience of the East. Sir William Coghlan distinctly states that Mr. Rassam was not invested with all that dignity and all those surroundings of pomp and circumstance which are so effective in dealing with an Oriental King; and Colonel Merewether, I perceive, holds identically the same view. But after Mr. Rassam you sent out another envoy—Mr. Flad. Now, Mr. Flad is a very excellent man; but for years he had been resident at the Court of King Theodore, who was perfectly aware of his measure; and I think from his letters published in these blue books it is quite apparent that, however excellent and worthy a person Mr. Flad may be, he is not the man to be intrusted with so grave and delicate a commission as was deputed to him. The course I frankly own I could have wished adopted would have been this—that a mission should have been sent out under the charge of some Indian officer of experience, well acquainted with these countries and their inhabitants, competent to deal with the circumstances he had to meet in Abyssinia, and, at the same time, attended by an escort of, say, either a regiment or a regiment and a half of irregular cavalry. Such an escort would have been sufficient to give him all the personal protection and security that could be desired; and, on the other hand, it might have saved all the cost of this expedition and obviated all those difficulties, dangers, and uncertainties which every one must admit do exist in connection with it. Such an officer would have passed through the country at the head of a flying column, and could have presented himself before King Theodore with, it may be, presents in one hand, and an ultimatum of war on the other, and unless the prisoners were then and there given up to him—but I can hardly myself doubt what the result would have been—I can hardly doubt but that they would then and there have been released. But supposing this not to have been the case, and that the captives were refused, you might then properly have fallen back upon the alternative which you have at present adopted —you might, without any loss of honour, of dignity, or of any conceivable advantage, without even any loss of time, have taken the course that you have now taken, and obtained every good result which you are likely to obtain from it. My Lords, I have always held that opinion from the first, and I have thought it fair to state it at this early stage. On the other hand, Her Majesty's Government, no doubt after considering that view, rejected it. They have adopted a different course of proceeding, and I entirely agree that there is nothing for us now to do but to go on as vigorously as we can with the war which has been commenced. My Lords, I must say I saw with very great satisfaction that the entire command of the expedition has been concentrated in the hands of a single officer—Sir Robert Napier—an officer of the highest ability and experience. If anything can insure the success of this campaign it is the concentration of the command of this expedition in the hands of one single person. There is another remark which I wish to make before sitting down. It is my firm belief that if there is any one point in connection with this expedition respecting which we should be agreed, it is that of the cost. The cost of this war, which must necessarily be very great, is one which, I think, ought to fall exclusively upon this country. The objects for which the campaign has been organized are essentially and exclusively Imperial objects, and they affect this country, primarily and particularly. In the blue book laid before Parliament there is a letter from my right hon. Friend the Secretary of State for India, in which he most distinctly lays down that the objects of this expedition are Imperial objects, and that the cost ought not in fairness to be charged to the revenues of India. However unpopular it may be to assert that opinion, I sincerely hope that Her Majesty's Government will abide by the conclusion to which the Secretary of State for India has arrived, and which he has so clearly expressed in that letter. Further, I must say this, that inasmuch as this expedition is an expedition affecting the present time, and the present generation exclusively, I trust that no part of its cost will be thrown upon a future time or generation. The objects of the campaign affect us alone, and it would be a great injustice—it would be the height of impolicy, however unpopular it may be to say so—to lighten our present burdens by transferring them to some future time.

LORD HOUGHTON said, there was one topic adverted to in the Speech from the Throne so likely to come before their Lordships during the present Session, that he craved permission to make a few remarks upon it. He referred to the relations at present existing between the Imperial Government of France and the Kingdom of Italy. The passage relating to this subject took up a considerable portion of the Royal Speech, and it was remarkable as expressing a decided opinion, not only as to what had recently occurred, but as to the best means of arriving at a solution of the Italian difficulty. Her Majesty's Government not only intimated their regret at the occupation of Rome by the French troops, but expressed a belief that the early withdrawal of those troops would be the best solution of the Italian question. He could have wished that the words referring to the early withdrawal of the French troops had been omitted from the Queen's Speech, because they assumed that which was not proved or justified—namely, that this early withdrawal would lead to the solution of the difficulty. The anomaly of the occupation of Rome by French troops was so great and so startling that it was not for him to press it upon their Lordships' attention. The question was, however, whether the solution which they all desired, of the establishment of good, satisfactory, and lasting relations between the Government of Italy and the Papal States, would be best arrived at by the early withdrawal of the French troops from Rome; and that was a question which it was, he thought, hardly within the province of their Lordships to determine. The Convention of September, entered into between the Governments of France and Italy for the disposition of the Papal States, afforded so little hope of a satisfactory solution that he had never from the commencement regarded it with any hope or satisfaction, and his prediction in respect of it had been fully realized. That Convention laid upon the King of Italy too great a burden to be borne. It required him to do that which was physically impossible—to protect a large and uncertain frontier against what were known to be the strong desire and even the earnest fanaticism of a considerable portion of his subjects. After the events that had lately occurred, their Lordships would, perhaps, agree with him there were two courses for the French Government to pursue—either to allow that Convention to be at an end, or to re-occupy the Papal States. Unless the Convention was to be considered a sham, he did not see how the French Government could have acted otherwise, or that any other result than that which had occurred could have been expected. It appeared to him that the temporary occupation of Rome by a certain portion of orderly French troops was a far better state of things, both for the Papal States and for Italy, than the existence of a large body of paid mercenaries and ecclesiastical *condottieri*, composed of persons of all nations, in the service of the Pope; for the latter were much more likely to excite bad feeling and keep up irritation in the Papal States than the occupation of those territories by a body of orderly and well-conducted French troops. In the remarkable Speech just delivered by the Emperor of the French to the Legislative

Body, His Majesty threw out the project of a Conference, in which the Powers of Europe were to meet and consult upon the question of the temporal power of the Pope. There was no reason to suppose that the invitation to the Conference would be confined to the Catholic Powers of Europe, and he should regret if, at this moment, and before this question was fully discussed, or the conditions of the Conference foreseen, an opinion should be given by any distinguished English statesman as to the course to be taken by Her Majesty's Government with respect to the matter. He trusted that when this invitation came before the noble Lord the Secretary of State for Foreign Affairs, he would not decide until after long consideration by himself and discussion with his Colleagues, and that they would remember that the Papal question was territorial as well as religious. It would be very unfortunate if Her Majesty's Government did not consider that there was a political as well as a religious element involved in the Italian question. If the question were left to be decided by a Conference of Catholic Powers alone, the result would probably be the permanent occupation of Rome by a joint force of those Powers, which would be a much greater grievance to the kingdom of Italy than the present occupation by French troops. If, on the contrary, it were so arranged that the Papal question were treated as a territorial one, and if the wishes of the people of Italy and of the present occupants of the Roman Territory were considered, it was just possible that the proposed Conference might lead to a successful solution of the question. There were two very important lights in which the question should be considered. One was that the strong, and almost universal desire, which once existed to make Rome the capital of Italy, had considerably diminished in the minds not only of the Roman people themselves, but also of the leading men of Italy. That remarkable patriot the late Massimo d'Azeglio was not of opinion that Rome ought to be the capital of Italy, and, in his interesting letters, he gave many efficient reasons why it might not be expedient that Rome should be the capital, and why the existence of the Papal Government at Rome in a certain degree of independence might rather add to than diminish the dignity and independence of the kingdom of Italy. That opinion had been gradually becoming more prominent, and was now held by the majority of Italian statesmen. The next light in which the question was to be considered was the remarkable fact of the absence of any sign of movement and sympathy with the Volunteers by the people of Rome. There appeared to be, at all events, no immediate desire on the part of the people of Rome to get rid of the Papal Government. It was not for the people of this country to deny the right of any other people to govern themselves in the mode best adapted to their wants and wishes ; but it was apparent that the desire for Rome as the capital of Italy was not so strong as it formerly was. He trusted that if a proposal were made to England to join the Conference the matter would receive the gravest consideration on the part of the Government. With regard to the other topics alluded to in Her Majesty's Speech, he would not now detain their Lordships —there would be plenty of opportunity for discussing them in the course of the Session.

Lord LYVEDEN said, that their Lordships would have an ample opportunity hereafter of dealing with the other questions referred to in the Speech from the Throne, with the exception of the expedition to Abyssinia, which was a matter of pressing and immediate importance ; and therefore he thought it desirable that their Lordships should direct their special attention to that subject, and endeavour, if possible, to obtain from Her Majesty's Government some explanation with regard to the motives that had guided their policy. For his own part, he regarded this expedition as one of the most formidable misfortunes which could have befallen the country ; it was an evil the full extent of which could not be foreseen ; and, although it might possibly be a necessity, more would be required of the Government in explanation of its policy than was contained in the Message from the Crown before the country would accept it as such. It should be shown, in the first place, that every alternative expedient had been well considered and dismissed on substantial grounds before the expedition was resolved on, and that there were no other means of attaining the object. It was well known that several suggestions had been made with reference to the method of carrying on the expedition, not a few of which had come from that distinguished traveller Sir Samuel Baker, who proposed, among other things, that the co-operation of the

Viceroy of Egypt should be sought in carrying on offensive operations, while other parties recommended that we should make use of the discontented subjects of King Theodore. The noble Earl at the head of the Government shook his head; he, perhaps, thought that a very unwise proposal; but had these things been considered, and if so, why rejected? They were certainly worthy of consideration, for if adopted they would materially reduce the cost of the expedition. It might, indeed, be inexpedient to adopt any of these courses; but these were points on which he should like to hear the views of Her Majesty's Government. Regarding the question of necessity, he noticed that the second paragragh of the Royal Message opened with this passage—

> "The Sovereign of Abyssinia, in violation of all international Law, continues to hold in captivity several of My Subjects, some of whom have been especially accredited to him by Myself."

No doubt it was true that in the case of the accredited representatives of Her Majesty their detention was a direct violation of International Law; but he was not sure that there was a breach of International Law in the seizure of the rest of the captives; and he hoped it would be well understood that if any enthusiast, either in religion or philosophy, chose to dive into the recesses of such countries as Abyssinia, or any part of Africa, and incur the resentment of some semi-barbarous chief or tribe, he would do so at his peril, and that it formed no part of the duty of Her Majesty's Government to espouse his cause and punish all those who dealt with him violently. Otherwise, it would be expected of the Government that it should send an expedition into the heart of Africa to inquire as to the fate of Dr. Livingstone, and avenge his death if he should have fallen by the hand of the Natives. Such intervention was, in his opinion, totally improper for this country, and he trusted the noble Earl would state explicitly that he did not wish the passage in the Queen's Message to be so interpreted. The Message stated that it was solely to secure the liberation of the captives that Abyssinia was entered. He observed the introduction of the word "alone" with pleasure; but the Government would experience the greatest difficulty in keeping their operations within this limit. For he regretted to find in all the letters and papers presented to Parliament, and in all the books which had been written upon the subject, the occupation of Abyssinia was suggested. Some desired reforming the religion of the country; others proposed interference with the slave trade; it was suggested that the occupation of Abyssinia would assist our passage down the Red Sea on the way to India; and Sir Henry Rawlinson—a most able authority—spoke of the country as the most healthy in the world, and admirably adapted to serve as a sanatorium for India; but he confessed he looked upon that statement with great suspicion. Were any of those recommendations entertained by the Government? Were they to be acted on in order to maintain our prestige in India? He objected altogether to the word "prestige," which meant originally "illusions," and he did not believe that our reputation in India depended upon any such measure as the invasion of Abyssinia. India was already very strongly impressed with our power and goodwill towards it. But a very prevalent opinion throughout India was that wherever England went she picked a quarrel with the Governments and ended by annexing their territories. Some of the people of India knew that had been their case, and believed that we went to Abyssinia for the purpose of taking possession of it. He trusted that the noble Earl would state that the expedition was set on foot solely for the purpose of liberating the prisoners, and that immediately that end was gained the British Army would leave the country. As to the question of money, he agreed with the noble Earl opposite (the Earl of Carnarvon) that the expense should not be thrown upon India. It was all very well for a country to make wars, the cost of which would not be borne by itself; but he had heard that Sir Stafford Northcote had declared that the Government did not intend to pursue such a course. He was glad of it, for, however palatable it might be to this country, it would be very unfair to tax India for an Imperial expedition. He also hoped they should hear something from the noble Earl as to what would be done by the army. Of course, he did not expect an account of the military manœuvres to be carried on by the troops; but he thought it reasonable to look for a statement as to what course, generally speaking, the commander of the expedition would follow. Suppose the King of Abyssinia chose to put the captives to death the moment the expedition approached him; what would be done in this not improbable case? Would the King be pursued and punished? Suppose he buried himself in the interior of Africa; should he be followed? To do so would be almost impossible; but what had the Government resolved upon? All these matters must have presented themselves to the minds of Ministers; so that before the money was voted, and the despatch of the expedition had been formally endorsed, he insisted that the Government should clearly state what limit they intended putting on the operations of the expedition, and how those operations would be carried out. A noble Lord had stated that the country generally approved the expedition, and would willingly bear the cost of it; but he (Lord Lyveden) believed the country was very much annoyed at the expense being incurred, and would only be reconciled to it on being fully satisfied that the expedition was inevitable. He certainly believed that much fuller information than had yet been furnished was required before the country would fully regard this expedition as necessary and unavoidable.

THE EARL OF DERBY: My Lords, in the first place, I have to return my sincere thanks to my two noble Friends who moved and seconded the Address to the Crown in answer to the Royal Speech. If I may draw a distinction between them, it will be to refer particularly to my noble Friend who addressed your Lordships for the first time this evening, and who, in the course of his observations, spoke with remarkable clearness and accuracy upon subjects requiring very careful consideration, and perhaps more experience than could have been expected from so young a Member of your Lordships' House. I hope, from what we have heard to-night, that we shall hereafter frequently find my noble Friend taking part in our debates. I have next to express the satisfaction which Her Majesty's Government feel at being able to infer from the language of those noble Lords who have addressed your Lordships that it is not intended to interfere in the slightest degree with the unanimity with which your Lordships are disposed to support the Address in answer to Her Majesty's Speech. But it would be impossible for me to pass over in complete silence some of the observations which have been made by the noble Earl opposite (Earl Russell) and from other noble Lords, and I must ask your Lordships' indulgence while I make a few remarks. I understand from the noble Earl opposite that, after carefully considering the matter, he is not disposed to offer any objection to the policy pursued by the Government in despatching an expedition to Abyssinia, but he, at the same time, reserves to himself — as he is perfectly entitled to do—the liberty of expressing any opinion he may come to after more mature consideration of the case. I assure the noble Earl and your Lordships that no Government ever came to a decision with more reluctance, or with a stronger sense of the imperative necessity which would alone justify such a decision, than Her Majesty's Government experienced in deciding on sending this expedition to Abyssinia. That decision would not have been taken had the Government not been deeply impressed with its imperative necessity, and with a firm conviction, shared in, I believe, by all the Members of both Houses of Parliament who have at all inquired into the subject, that the time had arrived when it would have been unworthy of the Government of this country, would have seriously detracted from the estimation in which England is held throughout the world, and would have exposed us to well-grounded reproach, had we decided to leave Her Majesty's subjects in unjust captivity, and left Her Majesty's Crown and dignity to be insulted with impunity by a semi-barbarous Potentate. The noble Earl below the gangway (the Earl of Carnarvon), has expressed an opinion that the course pursued by Her Majesty's Government with regard to the expedition is not the most desirable that could have been adopted. But my noble Friend does not, however, so much condemn the expedition itself as the course which had been previously taken; and, in point of fact, the greater part of my noble Friend's observations referred to a period long antecedent to that at which Her Majesty's present Government acceded to office. He objected to the mission undertaken by Mr. Rassam; and he thought—I do not know whether with reference to that or a subsequent mission—that a Minister charged with the important function of representing the Crown should have been sent to Abyssinia with an escort — with a small escort—of cavalry. I can only say, my Lords, that if my noble Friend had volunteered to go upon that expedition, and had taken with him the Hampshire Yeomanry, I should not have had the slightest objection to his trying his persuasive powers upon the King of Abyssinia. For myself, I can only say that if the mission from this country was not to rely upon the authority of the Sovereign, no scheme, in my mind, could be more untenable, and no plan would be more certain to lead to absolute and discreditable failure than to send out a Minister with a small escort incapable of protecting him or of defending themselves, and who, if the Emperor objected to their presence, would certainly be devoted to destruction, or reduced to a state of captivity such as that which had befallen the previous prisoners. With regard, therefore, to the alternative so suggested, it is the one which in my mind, of all other alternatives, afforded the least prospect of success. But I am the more surprised to hear this objection raised on the part of the noble Earl, because when it was determined to send out Mr. Flad the noble Earl was a Member of the Cabinet, and he was a party to the sending out of that gentleman; and in vindication of my noble Friend and of ourselves, I must say that we had no other alternative with regard to Mr. Flad, because the circumstances when we came into office were these:—Our Consul had been imprisoned for three years, and during that time he had languished in a captivity which varied in severity according to the caprices of the Emperor. The Government sent out Mr. Rassam, whom they believed to be perfectly competent to deal with the question. He was at first received with great cordiality and kindness by the Emperor; but in one of the sudden caprices to which such minds are subject, the Emperor, while professing great attachment to Mr. Rassam, placed him in captivity, loading him at the same time with assurances of the most profound friendship and esteem. Mr. Rassam was the bearer of a letter from the Queen, which was treated by this Potentate with entire contempt. He was also the bearer of presents; but falling under the displeasure of the Emperor, he, together with the other prisoners, who had been actually liberated, and who had been sent for by the Emperor in order that there might be a formal reconciliation, were to be detained until certain artificers for whom the Emperor had asked for the purpose of instructing his people were forthcoming. Mr. Rassam thereupon inquired what messenger would be most acceptable to the King, and the answer was—Mr. Flad, a German missionary; and it was arranged that he should come to this country and have a personal interview with Her Majesty, and receive from Her her commands. That was the state of things when we assumed the responsibilities of office. Mr. Flad arrived in this country in July, which was about a month after we became Ministers of the Crown. In the course of October he returned to Massowah, bearing an autograph letter from the Queen, which he was to deliver to the Emperor, and also bearing with him certain presents and assurances that if the prisoners were released Her Majesty would overlook what had passed, and still entertain for Theodore sentiments of friendship and goodwill. At the same time, in compliance with the desire of the Emperor, and with their own consent, a certain number of artificers who had had the terms clearly explained to them were sent out, and these artificers were to proceed to the Emperor on the delivery of the captives. On the arrival of the presents and the artificers at Massowah, the Emperor expressed great pleasure, but said nothing about the release of the prisoners. Colonel Merewether regarded this as a one-sided proceeding, and accordingly intimated that the presents and the artificers would be sent on the release of the captives. No reply to this communication was vouchsafed, and the Emperor was informed that they would be returned to England, and that Her Majesty could not think of entering into friendly relations with him as long as the captives were detained. In April, 1867, my noble Friend and Relative at the head of the Foreign Department sent an imperative message to King Theodore, demanding the release of the captives on pain, in case of refusal, of forfeiture of Her Majesty's friendship and goodwill, and three months were allowed for an answer. The message was forwarded on the 15th of April, was received on the 13th of June, and from that time to this not the slightest notice has been taken of the communication. Thus matters stood before the prorogation of Parliament; and as some question has been raised partly as to whether all other means have been exhausted, and partly as to whether Parliament has been fairly dealt with in the matter, I hope that your Lordships will permit me to refer to what took place in the House of Commons on the 26th of July, about four weeks before the rising of Parliament. The question was brought forward by Mr. Seymour, and supported by Sir Henry Rawlinson, as well as by a more significant authority, when we consider the position he had occupied in the previous Government—I mean Mr. Layard.

The object of the Motion was to present a humble Address to Her Majesty, praying that proper steps might be taken to procure the release of the Abyssinian prisoners, if necessary, by force of arms. No opposition was offered to the Motion except on the part of Her Majesty's Government. I trust your Lordships will permit me to quote one or two passages from the addresses which were delivered in support of the proposal. Mr. Seymour said that some of the prisoners had been detained for upwards of three years, and the question was, what was to be done for their liberation? Conciliation had been tried and failed. Mr. Seymour then proceeded to state the courses which he thought were open to the Government:—

"In the first place, it was impossible that the captives could be left in their prisons. . . . The missionary whom the King had permitted to leave Abyssinia had returned with the much-coveted artizans and presents, and the autograph letter of Her Majesty, which was couched in the most conciliatory terms; but even this had not proved successful. Further attempts at conciliation would be not only useless, but derogatory to this country. It had been suggested that we should ask Egypt to assist us in obtaining the release of these captives. He thought it would not be wise to do so."—[3 *Hansard*, clxxxix. 233-4.]

And I must say that I entirely concur in that opinion. Nothing would so surely tend to failure as to act in concert with Egypt, a country which has been regarded by Abyssinia for generations as her hereditary foe. The Princes and Chiefs in the latter country, who are at present at feud with Theodore, and who would rejoice at his overthrow, would at the supposition of our acting with the Egyptians effect a reconciliation with him. Mr. Seymour continued—

"The only course which remained was to undertake the release of the captives ourselves. After so great an insult had been inflicted upon us we were bound to take this course, and send an expedition to Abyssinia from India."—[*Ibid.*]

Sir Henry Rawlinson also thought it would be impossible to take any other course—

"We have done everything we could to obtain the release of the prisoners by fair means, and we have failed. If we abandon any further effort, and our present inactivity is prolonged, that the prisoners will, one and all, in due course, sink under their sufferings is almost a matter of certainty. The question, therefore, resolves itself into a choice of evils."—[3 *Hansard*, clxxxix. 239.]

In answer to those who objected to the probable cost of the expedition, and disregarded altogether the question of prestige, Sir Henry Rawlinson said—

"Having been employed officially in the East for nearly thirty years, and having passed by far the greater portion of that service in immediate connection with Native Courts, my opinions with regard to 'prestige' are not derived from theory or from books, but are the result of personal experience and observation. I would say, then, that I look on 'prestige' in politics very much as I look on 'credit' in finance. It is a power which enables us to achieve very great results with very small means at our immediate disposal. 'Prestige' may not be of paramount importance in Europe, but in the East, Sir, our whole position depends on it. It is a perfect fallacy to suppose that we hold India by the sword. The foundation of our tenure, the talisman—so to speak—which enables 100,000 Englishmen to hold 150,000,000 of Natives in subjection, is the belief in our unassailable power, in our inexhaustible resources; and any circumstance therefore which impairs that belief, which leads the nations of the East to mistrust our superiority and to regard us as more nearly on an equality with themselves, inflicts a grievous shock on our political position."—[3 *Hansard*, clxxxix. 241.]

Mr. Layard said—

"Matters, however, had now gone to a length when some step must be taken, something must be done on behalf of the unfortunate people still kept in captivity. . . . With great reluctance he had come to the conclusion that there was only one course left to us now, and that was an expedition to Abyssinia. He did not conceal from himself all the difficulties of such an undertaking—difficulties which his hon. Friend who spoke last was near the truth in describing. The expedition would be really a very arduous one. But the question was, whether the honour and credit of the country did not render such an undertaking absolutely necessary. If he entertained the remotest hope that any kind of negotiation, or that any other measure would be likely to release the captives, he should be totally opposed to a military expedition; but with a full knowledge of all the circumstances, he had been compelled to relinquish all such expectations."—[3 *Hansard*, clxxxix. 245-247.]

Here is the opinion of a Gentleman who had been Under Secretary of State for Foreign Affairs, and who for three years had been exhausting every means of conciliation to obtain the release of the captives. He says that all efforts have failed, and he has been compelled to come to the conclusion that nothing but force of arms can procure their release. And now I come to the answer made by my noble Friend and Relative the Secretary of State for Foreign Affairs. My noble Relative said—

"I am sure, therefore, that the House will feel that, however anxious we may be to attain the object we all have in view, it would be madness to throw a British army into an unknown country, in a tropical climate, far from the sea, very far from its reserves and its supplies, without a full previous investigation as to the means of moving, feeding, and keeping them in health. That inquiry we look upon as an indispensable preliminary. I have been in communication with the War Department and with the India Office as to the best mode of proceeding. My right hon. Friend the Secretary of State for India has telegraphed to the Indian Government to send over an officer or officers on whom they can rely to meet Colonel Merewether at Aden, and with him to examine minutely the points on which information is necessary. I do not wish to anticipate the result of that inquiry; but I hope that the House will be of opinion that in making it we have only done our duty. On the one hand, we cannot consent to leave these men to their fate without some attempt to rescue them. On the other hand, by precipitation and by acting in the dark we should be running the risk of involving ourselves in great calamities, and might bring on ourselves not only political, but also the possibility of military disaster. It is possible that when King Theodore sees that we are in earnest, he may take warning, and release the prisoners without giving us further trouble. We may hope for this; but we ought not to count upon it. If he should not, the responsibility rests with us of deciding upon our future course. We must be guided to a great degree by the reports we receive from those whom we employ to make the investigation to which I have referred. I do not think we should be called upon even now to give any pledge on the part of the Government as to an expedition, unless it is found to be practicable with only a reasonable expenditure of men and means. It may be said, 'Send it to the coast of Africa, that will be enough.' Possibly, that may be enough; but if you send an expedition to the coast and that fails, you cannot rest there, you must proceed further, you are free to send an expedition or not to do so; but having once begun, you are not free to leave off without success. If you undertake the enterprize at all, you are bound to carry it through. I hope the House will leave the decision where the responsibility must be left. I think they will see by the Papers, which are now all but ready to be laid on the table, that whether we have taken the best or the wisest course or not—on which differences of opinion may exist—at any rate, we have not been guilty of neglecting or treating with indifference this most painful business."—[3 *Hansard*, clxxxix. 252-3.]

Now, my Lords, it has been said that this language was held on the 26th of July, while the first intimation given to Parliament of an intended expedition was contained in the Queen's Speech on the prorogation of Parliament on the 21st of August. The explanation of this circumstance is perfectly simple. At the commencement of the month of June my noble Relative had, as he stated in his speech, taken steps to obtain the most perfect information from the most reliable Indian sources with regard to Abyssinia; but that information was not obtained until the 13th of August, when we received intelligence which led us to believe that we might, with a reasonable prospect of success, send an expedition to Abyssinia to accomplish the object we had in view. Parliament was prorogued on the 21st of August, and it was not until the 19th of August that, having carefully considered the information we had received from India, we came to the determination to send out an expedition to Abyssinia. Having come to that determination on the 19th of August, at the earliest possible opportunity—on the 21st—we communicated that determination to Parliament. I trust, therefore, that your Lordships will see that there was no desire on the part of Her Majesty's Government to keep back from Parliament their determination to send an expedition to Abyssinia in order to procure the release of the prisoners, and that there was no contradiction between the language held by my noble Relative on the 26th of July, and the subsequent determination on the part of the Government to send out the expedition. Having come to the determination to send out the expedition, what was our next step? And here I may mention that some time ago a noble Lord who has spoken this evening (Lord Houghton), and whom I now see opposite to me, expressed his opinion at a scientific meeting—that of the Geographical Society—that Her Majesty's Government had not taken proper precautions for obtaining information which would be necessary to enable them to make the proper preparation for securing the success of the expedition.

Lord HOUGHTON: What I said was, that unless Her Majesty's Government had used every means in their power by consulting distinguished geographers as to whether there were any other means of obtaining their object before this costly expedition was sent out, they would not have taken all the precautions that were necessary.

The Earl of DERBY: Very well; the noble Lord did not make a statement; he merely made a suggestion; but the purport of his observations was such as to cause the President, Sir Roderick Murchison, to rise and state that from his own personal knowledge the greatest pains had been taken to obtain information likely to promote the objects of the expedition, and that every care had been bestowed in preparing whatever was required for its use. When we determined upon sending out the expedition we also determined for various reasons, with which I need not now trouble your Lordships, that it should take its departure from India. We also determined that the command of the expedition should not be divided, but should be placed in the hands of one person; and as such a position would be one of heavy responsibility, we selected with the consent, and I believe on the suggestion, of the illustrious Duke (the Duke of Cambridge), as the most proper person to take the chief command of the expedition an officer who has obtained the highest reputation in India—namely, Sir Robert Napier, on whose strategical ability and in whose talents we felt we could place the most entire reliance. It was left to him to name the force and the equipments he would require to enable the expedition to effect its object. A full statement of all matters of detail connected with the expedition your Lordships will find in the blue-book which I shall have the honour of laying upon your Lordships' table in the course of this evening in pursuance of the statement in Her Majesty's Speech, from which you will see that the greatest possible pains have been taken that the expedition shall not go out unprovided with anything likely to conduce to the health and comfort of the troops. The expedition was to be sent out from India. The noble Earl opposite (Earl Russell) has expressed an opinion that as its objects were entirely of an Imperial character, therefore the expense should be entirely borne by England. Now, that is the precise ground on which we have advised Her Majesty to call her Parliament together. I need scarcely tell your Lordships that, under the peculiar circumstances of the case, it was absolutely necessary that Parliament should be called together at the earliest possible moment, to give its assent to the course we thought fit to adopt in sending out the expedition. It has been supposed that there is no power on the part of the Crown to employ Indian troops for Imperial purposes, except in India itself, but that is a misapprehension. The prohibition that exists merely extends to the Crown applying any portion of the revenue of India to external war, whereby the control of a war might be withdrawn from Parliament. We do not propose to impose a single farthing of the cost of this expedition upon the revenue of India. India will continue, as before, to pay for the troops as if they were in India in the service of the Crown; but every expense attendant upon the expedition will be borne by the Imperial revenue. There is one more point connected with this subject to which I must refer. The noble Earl opposite has expressed a hope that he would hear from Her Majesty's Government an emphatic declaration as to the objects of the expedition. I certainly thought that nothing could be more emphatic than the language of the Speech from the Throne upon this point, which declares that the expedition has been sent out for the purpose of obtaining the release of the prisoners, and for that purpose alone. If, however, by doing so I can render these words still more emphatic, I will now declare that it is the firm intention of Her Majesty's Government that nothing further than the release of the prisoners shall be attempted by the expeditionary force, and that that object being accomplished, that force will at once retire from Abyssinia. Suggestions for occupying Abyssinia for sanatorial and other purposes—God knows what—have been made to Her Majesty's Government; but it has never crossed our minds to go one step further than to obtain the release of the prisoners. The noble Lord opposite (Lord Lyveden) has made a slight error in stating that it has been suggested that we should occupy Abyssinia for the purpose of protecting the Red Sea. Your Lordships are doubtless aware that there lies between Abyssinia and the Red Sea a large tract of territory which does not belong to the King of Abyssinia, and therefore the occupation of Abyssinia will not enable us in any way to protect the Red Sea. [Lord LYVEDEN explained that this was not his suggestion.] I think I have now said all that is necessary upon this subject—as to the course the Government have pursued; as to the understanding upon which the expedition has been sent out; and as to the preparations that have been made for securing the comfort and the safety of the troops.

I must now turn to one or two other subjects, which I shall touch upon as briefly as possible consistently with their importance. In the first place, the noble Lord who has just sat down (Lord Houghton) has expressed something like an objection to the paragraph in the Queen's Speech which expresses a hope that His Imperial Majesty the Emperor of the French may find himself enabled to withdraw the French troops at as early a period as possible, and thereby remove any possible ground of misunderstanding between His Majesty's Government and that of the King of Italy. Now, my Lords, I am happy to find by the Speech of His Imperial Majesty, which was delivered yesterday, that His Majesty's views upon this question entirely coincide with the hopes which have been expressed by Her Majesty's Government, and that he sees the time approaching when the French troops may be withdrawn from Italian soil. The noble Earl who opened the debate (Earl Russell) has commented upon the terms of the Convention of September, and has expressed his opinion with regard to various parts of it, and particularly the arrangement whereby the Papal Government might employ mercenary troops. I, however, may say that Her Majesty's Government were no parties to that Convention, and that therefore it is not their duty, nor that of any British statesman sitting in his place in Parliament, to comment upon the terms of that Convention, with which this country has nothing whatever to do. The Convention was between France and Italy, and in my opinion those countries alone are concerned with it. Nor, my Lords, do I think it necessary—nor do Her Majesty's Government think it necessary—to express any opinion whatever upon the policy adopted by the Emperor of the French in despatching the expedition to Rome. The Emperor of the French, no doubt, felt himself bound by the terms of the Convention to protect the Papal territory, not against the population of the Papal States, nor against the Italian Government; but against certain Italian invaders who had managed to elude the vigilance of the Italian Government. But that object having been effected—a perfectly legitimate object I may venture to say on the part of the Emperor—notwithstanding that Her Majesty's Government do not feel called upon to express any opinion upon the policy of that measure, it was perfectly legitimate for Her Majesty in her Speech from the throne to express a hope that all ground of a misunderstanding between the French and Italian Governments may be prevented by the withdrawal of the French troops, whose continued presence in Italy must be a source of jealousy to the Italian people and of additional embarrassment to that Government. The noble Lord has also expressed a hope that no hasty decision will be come to by Her Majesty's Government with reference to the proposed Conference on Italian affairs. Her Majesty's Government have been invited, in concert with the other Powers, to join in a general Conference for the settlement of this question; but that invitation they have neither accepted nor declined. Her Majesty's Government would be most happy to second the efforts of the Emperor to restore peace and to secure Italy against further complications, and on personal grounds I am bound to say that we should deem it a most satisfactory thing to be enabled in the slightest degree to relieve the Emperor of the French from any embarrassment he may feel from the state of his own country in return for the cordial friendship and the goodwill which he has always exhibited towards this country. But, before accepting the invitation to a Conference, various subjects required to be taken into consideration. First, is the Conference acceded to, and will its determination be accepted by the two Powers mainly concerned—Italy and the Pope? To call for a Conference to arrange the affairs of two countries, neither of which concurs in being represented, and neither of which holds itself bound by the decision that may be arrived at, appears to me, my Lords, a perfect waste of diplomatic energy and ability. But, again, have we any reasonable prospect—where the points of divergence are so great as between the Papal programme and the Italian programme—of having to the Conference a practical basis on which its proceedings may be founded? To call for a Conference of the Powers without any basis on which they should proceed, simply to discuss the affairs of Italy and the Pope, would be only launching on an interminable sea of difficulty, which could afford no definite prospect of improvement. Therefore, unless these questions were satisfactorily answered, I confess I cannot see any advantage in entering into a Conference of so vague a character. That, in point of fact, was the answer we sent to the invitation—that we should first know whether the consent of the two parties mainly interested had been obtained; and next, what definite basis would be submitted for the consideration of the Conference.

I now turn, my Lords, to the next paragraph in Her Majesty's Speech, which treats of the Fenian conspiracy, with reference to which I heard with great regret the noble Earl (Earl Russell), in commenting upon it, cast some imputation on the Government and on the local authorities for what he considered great remissness in not having taken more complete precautions. Now, in the first place, whatever degree of blame there be, if any—which I do not admit—it did not attach to the Government, because it was entirely attributable to the course pursued by the local police of Manchester. But the noble Earl greatly misapprehends, and therefore misrepresents, the course which was pursued. The noble Earl says the Fenian prisoners were left under the protection of three policemen only. Now, that was by no means the case. They were sent to prison specially guarded by twelve policemen, some of whom were on the van and others were following in cabs for the purpose of affording protection. But certainly, it did not enter into the conception of any of the authorities that an attack would be made, in broad daylight, in the middle of the town of Manchester, of so determined a character as that which took place, and consequently the police were only armed with their ordinary weapons, and were not in sufficient force to meet the forty or fifty men who made the attack armed with revolvers and quite prepared to take life for the purpose of effecting their object. I do not think, therefore, that the police of Manchester are liable to the charge of remissness in duty which the noble Earl brings against them.

EARL RUSSELL: They had a telegram from Dublin, had they not, informing them that a rescue would be attempted?

THE EARL OF DERBY: No doubt there was a telegram from Dublin to Manchester to say that a rescue of the prisoners would be attempted, and that therefore it was desirable that extra precautions should be taken. But those precautions were taken in a very large increase of police in attendance on the van. Certainly no information reached the authorities which led them to apprehend so desperate and bloody an attack. My Lords, I ought not to say anything, more especially under present circumstances, when four men are lying under sentence of death—I ought not to say anything to aggravate the crime of this Fenian conspiracy; but, at the same time, I must protest in the strongest terms against those who, in the public press or elsewhere, have assumed that those outrages—those cowardly and dastardly outrages—are to be classed in the category of political offences, and therefore to be treated differently from murders ordinarily committed. In the first place, the object of this Fenian conspiracy — indefinite, reckless, hopeless—is not the removal of any grievance, not the redress of any evil of which they have to complain, but the avowed distinct object is to upset the Government of the Queen in her dominions and to constitute an Irish Republic. That is a distinctly treasonable object, and I must say there is a ludicrous side to it, because the very idea of an Irish Republic is one that to any man who knows that country and the condition of its population must appear entirely ridiculous, and there is no possibility of any such a scheme, under any circumstances, being carried into effect. I am as satisfied as of anything in the world that if an Irish Republic could be established and every British soldier withdrawn from Ireland every cultivator would be driven from Ireland; in less than six months the leaders would be quarrelling among themselves, and in twelve months they would be cutting each other's throats from one end of the island to the other. But there is some respect to be paid to those who may entertain opinions however erroneous — some respect to those who openly and avowedly come forward to oppose constituted authority, and are prepared by force of arms to establish their principles and views. To such cases as these the character of political crimes may be attached; but no such character can be given to crimes where the sole means of effecting the object of disturbance — subversion of authority and complete anarchy throughout the country—are secret incendiarisms, attacks on unprotected houses, murders of single and unarmed policemen, attacks on police barracks which are known not to be defended, attempts to fire houses by men who have not courage to show themselves, who at the appearance of a corporal's guard betake themselves to flight and leave their unfortunate comrades to suffer the penalties of their crimes. Therefore, whatever may be urged in mitigation of the crimes committed under this Fenian conspiracy; whatever the disposition on the part of the Crown and people to show all mercy in consistency with the judicial vindication of the law, I cannot for one moment—and I am sure the country will not for one moment—connect the idea of offences of this description with those ordinarily known as political offences, and which, as political offences, may be regarded with some sort of respect by a large portion of the people.

My Lords, I do not think it necessary now to deal with those measures which Her Majesty's Government announce their intention of bringing before Parliament, nor will I follow the noble Earl into his discussion of the general principles of the Reform Bill which was carried last Session in reference to England. That Reform Bill, he seems to think, ought not to be introduced for Scotland and Ireland. I am not prepared to enter into any discussion with regard to the merits of those Bills. The noble Earl will have an earlier opportunity than last year of discussing the merits of the Scotch and Irish Bills; and in the meantime, though greatly indebted to him for the arguments by which he suggests I might vindicate them, I must be permitted to use my own discretion and to use my own arguments when I bring them forward. I will not deal with the other topics adverted to in the Speech. The question of Education, no doubt, is one that requires the most serious consideration of Parliament. The circumstances of the three portions of the Kingdom are very different in regard to it, and it may be necessary to deal with each in a different manner and at a different time. For my own part, I agree with my noble Friend behind me (Lord Hylton) in regard to education in England; it requires much more information than we possess; and I cannot but feel that the time is hardly ripe for coming to a definite conclusion in regard to it. Though we have ample information as to assisted schools and some unassisted schools, yet, with regard to that large portion of the population absolutely without education at all, we stand in need of much more information than we possess before we can safely come to a conclusion on the whole subject. The question of education for Ireland is under the consideration of the Commission, with reference to the appointment of which considerable difficulty has been experienced, owing to the reluctance of the Roman Catholics of Ireland to take any part in assisting the Government to come to a careful and unbiased investigation on the subject, and also from the lamented death of the Earl of Rosse, who was so universally respected, and who from his singularly conciliatory and discreet course would have been a most efficient president. My Lords, I leave the other questions noticed in Her Majesty's Speech to be dealt with when, in due time, they are brought under your Lordships' consideration. I will therefore content myself with expressing my satisfaction that the noble Earl and your Lordships generally do not see any ground for objection to Her Majesty's Speech, and that on this, the first day of the Session, there is entire unanimity among us.

Address *agreed to, Nemine Dissentiente,* and Ordered to be Presented to Her Majesty by the Lords with White Staves.

CHAIRMAN OF COMMITTEES.

The LORD REDESDALE appointed, *Nemine Dissentiente,* to take the Chair in all Committees of this House for this Session.

COMMITTEE FOR PRIVILEGES—Appointed.

SUB-COMMITTEE FOR THE JOURNALS—Appointed.

APPEAL COMMITTEE—Appointed.

House adjourned at Eight o'clock,
to Thursday next, a quarter
before Five o'clock.

HOUSE OF COMMONS,

Tuesday, November 19, 1867.

The House met at half after One of the clock.

A Message from The LORDS COMMISSIONERS, by Colonel Clifford, Yeoman Usher of the Black Rod—

"MR. SPEAKER,

"The Lords authorized by virtue of Her Majesty's Commission, desire the immediate attendance of this Honourable House in the House of Peers."

Accordingly, Mr. Speaker, with the House, went up to the House of Peers:—

And being returned;

NEW WRITS DURING THE RECESS.

Mr. SPEAKER acquainted the House that, during the Recess, he had issued Warrants for *New Writs, for* Galway County, *v.* Lord Dunkellin, deceased; *for* Bradford, *v.* Henry Wickham Wickham, esquire, deceased; *for* Rutland, *v.* Hon. Gilbert Henry Heathcote, called up to the House of Peers; *for* Leicester County (Southern Division), *v.* Charles William Packe, esquire, deceased; *for* Manchester, *v.* Edward James, esquire, deceased.

PRIVILEGES.

Ordered, That a Committee of Privileges be appointed.

OUTLAWRIES BILL.

Bill "for the more effectual preventing Clandestine Outlawries," read the first time; to be read a second time.

NEW MEMBER SWORN.

Viscount Burke, *for* Galway County.

THE LORDS COMMISSIONERS' SPEECH.

MR. SPEAKER *reported*, That the House had been at the House of Peers at the desire of the Lords Commissioners appointed under the Great Seal for opening and holding this present Parliament; and that the Lord High Chancellor, being one of the said Commissioners, made a Speech to both Houses of Parliament, of which Mr. Speaker said he had, for greater accuracy, obtained a copy; which he read to the House.

ADDRESS TO HER MAJESTY ON THE LORDS COMMISSIONERS' SPEECH.

MR. HART DYKE: Sir, in rising to move that an Address be presented to Her Majesty in answer to Her most gracious Speech, I trust I shall not ask in vain for the kind forbearance and consideration which are ever accorded to one who addresses the House for the first time. If I touch but lightly upon the various topics mentioned in the Speech from the Throne, I would ask the House to believe that it is not because I underrate their importance, but simply because I feel some diffidence in addressing myself to subjects in reference to which the vast majority of hon. Members have had longer experience, and upon which they would therefore be better qualified to speak.

Her Majesty has graciously signified Her regret that the necessity has arisen for assembling Parliament at this somewhat unusual season; and the primary cause of Parliament having been thus assembled is — as might be expected — referred to in the first paragraph of Her Majesty's Speech. I need scarcely remind the House that Her Majesty's Government having deemed it expedient to send a force into Abyssinia for the purpose of liberating our countrymen who are in captivity there, the necessity must necessarily arise for our voting supplies in order to defray the cost of that expedition. The circumstances connected with the sad events that have occurred in Abyssinia, at least so far as the earlier part of them are concerned, are already pretty well known to this House and to a large majority of the English people who have taken an interest in the subject. It is well known that when Lord Palmerston was Prime Minister a mission was sent to Abyssinia. It would, perhaps, be wasting the time of the House to go through the whole of the events that have occurred from that time down to the present moment—it will be sufficient to recall the fact that this difficult Abyssinian question has been several times brought before both Houses of the Legislature. As early as February, 1866, a noble Lord in the other House (Lord Chelmsford), put a Question to the Secretary of State for Foreign Affairs on this subject; and no later than last Session a debate occurred on this subject when the question was brought prominently forward by the hon. Member for Poole (Mr. Henry Seymour). I trust that at the outset of a war which may cost the country a large sum of money, it will be felt that it will not only be advantageous to the Government, but satisfactory to the House and those out of doors who take an interest in the subject, that the fullest investigation should take place, both as to the causes which have led to the prospect of this unhappy war, and also as to the means which the Government have adopted with the view of bringing it to a successful issue. In studying the Papers furnished to the House last Session, it will appear that various measures were adopted with a view of persuading, as it were, the somewhat eccentric King Theodore to deliver up the captives. On the 29th January, 1866, through the intervention of Mr. Rassam, who was commissioned by this country to endeavour to procure the release of the prisoners, we find that they were actually liberated. And this reminds me of a point which has been urged—namely, that the difficulties which have arisen in Abyssinia have been occasioned by offence given at different times to King Theodore. The prisoners, as I have said, were actually liberated, and a reconciliation took place between them and the King on the 29th January, 1866; but shortly after which it appears that, without any ostensible reason or provocation, King Theodore, after bidding them adieu, saw fit to send after them and take them once more into captivity, and they were sent to Magdala and put in chains on the 6th July, 1866. The next event which I have to notice is the autograph letter sent by Her Majesty to King Theodore, stating in the kindest manner the anxiety felt by herself and the people of this country for the liberation of the captives, and at the same time expressing no ill-will towards King Theodore so long as the prisoners were liberated. At the same time, presents were sent to King Theodore by Mr. Flad, a missionary, and subsequently Colonel Merewether was sent out, in compliance with the King's wish, with certain artizans, who were placed at his Majesty's disposal. I now come to the letter written by the noble Lord the Secretary for Foreign Affairs, to which I will call particular attention. Surprise has been expressed that, inasmuch as the difficulties surrounding this Abyssinian question were well known last Session, prompt measures were not taken while Parliament was yet sitting. That would have been the case; but I should state that the letter to which I have referred was addressed to King Theodore, informing him that unless the British authorities at Massowah were made acquainted within three months of the time the letter was despatched to the King with the fact that the captives were released, the King would be held responsible for the consequences, and the answer to that letter only arrived three days before Parliament was dismissed from its labours at the close of last Session, and therefore it would have been clearly impossible for the Government to have taken any action in the matter so far as Parliament was concerned. Her Majesty and the Government have been animated solely by an honest desire to secure the release of the captives in Abyssinia, and not by any wish for territorial aggrandizement or by any ulterior motives. If any hon. Member will search history through, he will find that there are few instances in which indignities inflicted on a country have been borne with greater moderation and patience, or where more humane and moderate means have been resorted to for the purpose of effecting an object such as we have now in view. I need not tell the House that in the expedition already upon its way the Government look for no increase of territory, nor to obtain any special advantage on the coast of Abyssinia. I feel—and I am sure many in the country will agree with me—that there is something which we have always held dearer than ambition, and that is our national honour. Acquainted as the House is with the geographical position of Abyssinia, it would be useless for me to attempt to disguise the fact that an expedition to such a country is fraught with many difficulties, and must be costly as regards money, and it may also be as regards life. If we can suppose an instance in which we have received indignities equal to those we have received in the present case, the country being easier of access and with fewer difficulties of transport and climate than Abyssinia, I think there are few persons who would hesitate as to what course we ought to pursue; and I trust that the country will not be deterred from upholding its dignity and liberating the captives by the special difficulties which Abyssinia presents. If during the debate that will arise on this subject it can be shown — as I believe it will — that every legitimate means which diplomacy has at its command have been adopted for the purpose of effecting the liberation of the captives, I believe the conclusion at which the Government have arrived to send out an expedition will be acquiesced in and endorsed by the majority of the people of this country. As a young and a humble Member of this House I trust the day will be far distant when Parliament will hesitate to vindicate and protect the representatives of this country when they are subjected to indignities and ill-treatment in a foreign land.

Sir, the events which have recently occurred in Italy, and the complications to which they are likely to lead, have given rise to much anxiety in many minds; and that anxiety must be mingled with regret when we consider the present state of that country, requiring as it does, above all things, peace and order for its permanent consolidation, that violent persons should have proceeded to harass and disturb it, and have thus tended, by their own precipitancy, to defer to an indefinite period the result they have been desirous of bringing about. Our ally, the Emperor of the French, has been placed in a position of no ordinary difficulty with regard to this question; but I trust the confident hope expressed by Her Majesty in Her gracious Speech, founded on the enlightened wisdom and moderation of that monarch, may be speedily fulfilled. When we remember how many anxious questions connected with foreign affairs are at present before the political world, it must have been a matter of general gratification to all who heard, in the recent reception of our new representative in Paris, the cordial sentiments expressed by the Emperor, affording, as they do, a clear indication of a continuance of that policy of peace and goodwill towards England which he has not only invariably expressed, but which he has conscientiously endeavoured to carry out as long as he has sat upon the throne.

Sir, the miserable attempts of certain misguided men among our countrymen and others are referred to in Her Majesty's Speech. It is with feelings of pain and regret that all who love the cause of order in this country, and all who wish to see a brighter future dawn upon the sister country, have observed what has lately taken place in Ireland on the part of violent and unprincipled men, our countrymen and others, who have so far disturbed the existing order of things that trade has been paralysed, agricultural operations have been almost suspended, and many manifest advantages to the progress of prosperity which might have been opened up in that country have been for the present sacrificed. I cannot help offering my meed of praise to the authorities in Ireland and elsewhere for the firm and temperate manner in which they have met the emergency. There have also been certain cases of outrage which have occurred in the streets of London—miserable attempts by a few men armed with revolvers to upset the law. I trust that by a wise administration of the law, and by the good feeling and forbearance that are being shown, we shall soon hear that there is an end to this unhappy state of things.

No doubt the Government will supplement the recent Act for the representation of the people of England by other measures affecting the representation of the people of Scotland and Ireland. In introducing those measures Her Majesty's Government will be able to bring to bear on the subject the consideration they must have given to it during the recess. The anxious consideration given to the question of the franchise last Session will prevent that subject giving us as much trouble in dealing with the new Bills as would otherwise have been the case. With regard to the latter part of the Bills—the distribution clauses — there will doubtless be some difficulty; but I trust that the same policy of forbearance and goodwill as was adopted last Session will characterize our future debates on the Reform question, and will facilitate its settlement. Many hard things have been said in reference to the measure of last Session. When we consider the amount of legislation yet to be got through with regard to Parliamentary Reform, I think we had better pass over anything like recrimination respecting the past, and set to work honestly to make complete the partial settlement we have arrived at. Representing a constituency (West Kent) which has certainly as important and varied interests as any, I may say that a feeling of thankfulness and satisfaction pervades all classes that a question about which so much has been promised and so little performed, and which has become a stumbling-block to every kind of legislation, has been so far settled. The Commissioners appointed to consider the boundaries of the new boroughs have, I am informed, bestowed much time and attention to their duties; and when their Report is laid on the table, considering the amount of pains they have taken to collect information and the impartiality they have displayed, I have no doubt this important feature of the Reform Act will speedily become the law of the land. Her Majesty's Speech promises the introduction of measures for the suppression of bribery. This is unfortunately a thing which has become so engrafted on our political system that it will be difficult to deal with it. Like a long-seated disease, which has spread through every nerve and every sinew, bribery will be difficult of eradication; but I understand that legislation on this subject will proceed on the basis of the Bill mentioned in this House last year, and that it is proposed that instead of Election Committees sitting in London, competent Judges will be sent to the constituencies involved to make the inquiries on the spot. I believe that such a course will facilitate the administration of the law, for there is no doubt that the heavy expenses of inquiries in London prevents prosecutions for bribery. One great difficulty to be dealt with is that of definition, as it is more difficult in cases of bribery than it is in criminal matters to define the exact point at which it might be said the Rubicon is crossed, and a man, instead of conscientiously canvassing for a vote, is endeavouring to use corrupt influence.

The next question referred to in Her Majesty's Speech was that of Education, and it is one there is great difficulty in dealing with; but I believe, when we consider the enormous mass of evidence taken by Committees and Commissions which the House now has before it on this subject, we may express a hope that the question will soon receive a satisfactory solution. Nor do I think there is any question more urgent at the present moment. It only requires you to look at the calendar at any assizes, and to notice the large proportion of prisoners who are returned as unable to read and write, or who at best are able to read and write imperfectly, to perceive how short-sighted a policy it has been not to deal with the subject long ago. As a mere matter of pounds, shillings, and pence—as a mere matter of saving the county rate—it must be a prudent thing to give the lower population at starting on their walk in life some chance of learning those things which are likely to make them better and happier members of the community.

Last year a Motion was brought forward having reference to the better management of the Mercantile Marine; and I am glad to see that Her Majesty's Government intend to legislate on a subject which is so nearly connected with the very bone and sinew of our commerce.

It is a matter of congratulation that we no longer receive those gloomy returns relating to the cattle plague which used to come to us once a fortnight; and I am glad to hear that a Bill is shortly to be introduced on this subject. I believe that sad experience of this disease has established the fact that its ravages are chiefly to be traced to the ports where cattle are disembarked from the Continent, and that one great centre for spreading the contagion has been the Metropolitan Cattle Market. It is satisfactory, therefore, to learn that a proposition is about to be made for the institution of a separate market for cattle imported from abroad, which are to be slaughtered within a confined area and in separate slaughter-houses. Under present legislation it is provided that cattle landing at any of the out-ports shall be slaughtered within a confined area in each port. Under the Metropolitan Traffic Act, a provision will come in force in 1874, prohibiting slaughter-houses from being erected within a certain distance of dwelling-houses; and while we consider how large the number of cattle slaughtered in London, and how calculated the trade in hides and other things of the kind is to spread disease, I have no doubt this enactment will prove a great and salutary boon.

I have now—very inefficiently I fear—gone through the chief topics mentioned in Her Majesty's Speech. The House must be aware that we are met on the present occasion to consider matters more especially connected with foreign affairs; but there are many questions affecting the amelioration of the law of this country, with which, though they are not touched upon in Her Majesty's Speech, the Government will at least attempt to grapple with before the Session closes. This has been called "a moribund Parliament;" but I am sanguine that though it may be drawing to its close, it will retain its vigour to the end, and will transmit to its successors an honoured name. Thanking the House for the attention it has paid to me, I will conclude by expressing my earnest hope and confidence that we may so legislate in this last Session of Parliament as to preserve those institutions which are, I believe, dear to all classes of the community, to uphold the interests of this country abroad, and insure that prosperity at home with which, under the blessing of Providence, we have been so largely endowed. The hon. Gentleman concluded by moving—

"That an humble Address be presented to Her Majesty, to convey the Thanks of this House for Her Majesty's Most Gracious Speech:

"Humbly to thank Her Majesty for the gracious expression of Her Majesty's regret that She has found it necessary to call for our attendance at an unusual, and, as Her Majesty is pleased to say, probably an inconvenient season:

"To express the regret with which we learn that the Sovereign of Abyssinia, in violation of all International Law, continues to hold in captivity several of Her Majesty's Subjects, some of whom have been specially accredited to him by Her Majesty, and that the persistent disregard by that Sovereign of friendly representations has left Her Majesty no alternative but that of making a peremptory demand for the liberation of Her Subjects, and of supporting it by an adequate Force:

"Humbly to thank Her Majesty for informing us that She has directed an Expedition to be sent for that purpose alone, and that She confidently relies upon the support and co-operation of Her Parliament in Her Majesty's endeavours at once to relieve our Countrymen from an unjust imprisonment, and to vindicate the honour of Her Crown:

"To thank Her Majesty for directing Papers on this subject to be forthwith laid before us:

"Humbly to express the gratification with which we learn that Her Majesty's relations with Foreign Powers are friendly, and that Her Majesty sees no reason to apprehend the disturbance of the general Peace of Europe :

"Humbly to thank Her Majesty for informing us that, in consequence of the invasion of the Papal States by a band of Italian Volunteers, without authority from their own Sovereign, His Majesty the Emperor of the French felt himself called upon to despatch an Expedition for the protection of the Sovereign Pontiff and his dominions :

"To express our concurrence with Her Majesty in the hope that, as the object of the Emperor has been accomplished, and as the defeat and dispersion of the Volunteer Force has relieved the Papal Territory from the danger of external invasion, his Imperial Majesty will find himself enabled, by an early withdrawal of his Troops, to remove any possible ground of misunderstanding between His Majesty's Government and that of the King of Italy :

"To assure Her Majesty of the deep regret with which we learn that the Treasonable Conspiracy commonly known as Fenianism, baffled and repressed in Ireland, has assumed in England the form of organized violence and assassination :

"To convey to Her Majesty our participation in the opinion which She expresses that such outrages as have been committed require to be rigorously put down, and to express our confidence that Her Majesty may rightly rely, for their effectual suppression, upon the firm Administration of the Law, and the loyalty of the great mass of Her Subjects :

"To thank Her Majesty for having directed the Estimates for the ensuing year to be laid before us in due course, and for informing us that they will be framed with a view to economy, and to the necessary requirements of the Public Service :

"Humbly to thank Her Majesty for informing us that, as a necessary sequel to the Legislation of the last Session, Bills will be laid before us for amending the Representation of the People in Scotland and Ireland :

"Humbly to thank Her Majesty for informing us that She has reason to believe that the Commissioners appointed to inquire into and report upon the Boundaries of existing Boroughs, as well as of the proposed Divisions of Counties and newly enfranchised Boroughs, have made considerable progress in their inquiries, and that no time will be lost, after the receipt of their Report, in laying before us their recommendations :

"Humbly to thank Her Majesty for informing us that a Bill will be presented to us for the more effectual suppression of Bribery and Corruption at Elections, and that the Public Schools Bill, which has been already more than once submitted to Parliament, will again be laid before us.

"To express our hearty concurrence in the opinion expressed by Her Majesty, that the Education of the people is a question that requires the most serious attention of Parliament, and humbly to assure Her Majesty that She may rely upon our approaching the subject with a full appreciation of its vital importance and acknowledged difficulty :

"Humbly to thank Her Majesty for informing us that measures will be submitted to us, during the present Session, for amending and consolidating various Acts relating to the Mercantile Marine ; and to concur with Her Majesty in opinion that the exemption which the Country has now for some time enjoyed from the Cattle Plague affords a favourable opportunity for considering such permanent Enactments as may relieve the Home Trade from vexatious restrictions, and facilitate the introduction, under due regulation, of Foreign Cattle for Home Consumption :

"Humbly to thank Her Majesty for informing us that Measures for the amendment of the Law, which have been deferred under the pressure of more urgent business, will be submitted to us ; and that other questions, apparently calling for Legislative action, have been referred to Commissioners, whose Reports will be laid before us as soon as they may be received :

Humbly to assure Her Majesty, that in common with Her Majesty, we earnestly pray that all our deliberations may be so guided as to conduce to the general contentment and happiness of Her People."

Colonel HOGG : Sir, in rising to second the Address which has been so ably moved by my hon. Friend, I feel painfully conscious of my own inability to undertake the task ; but I know full well that I can rely on the indulgence of the House of Commons, which is always granted to young Members on similar occasions. My hon. Friend has so fully and ably gone into the early causes of the Abyssinian war, that it is unnecessary for me to dilate upon it ; but there is one thing he said that I think ought to be enforced on the Government and the country, and that is that it was impossible for the Government before the close of the last Session to give an ample or full explanation of their policy ; because in the despatch written by the noble Lord at the head of the Foreign Office to King Theodore, three months were given him for the release of the captives. Those three months did not expire until the 17th August, and as Parliament was prorogued on the 21st August, it was impossible—no answer having been received—to give further information to the House. A final summons was sent by the noble Lord at the head of Foreign Affairs on the 9th September, demanding the release of the captives, and we may still hope that the Abyssinian expedition may not become an Abyssinian war. The Government have had two courses before them. One was conciliation, the other was force. I think all will allow that conciliation has been stretched to its utmost limits, and that after three long years of conciliation and prolonged negotiation, during which time our captive countrymen have been kept languishing in chains and suffering every indignity at the caprice of a barbarian monarch, Her Majesty's Government were fully justified in sending out an armed force with an imperative demand for the immediate release of the captives. Should the Emperor of Abyssinia be so ill-advised as to brave the power of England, and so render obligatory an appeal to arms, I think no one will say that force has been appealed to before every form of conciliation and persuasion had been exhausted. I believe that no Government ever sent forth an expedition with greater reluctance, or under a greater sense of responsibility. This is not the time to vindicate the policy of Her Majesty's Government; but I believe that none was ever sent forth better provided. I may be permitted to allude to one or two of the objections I have heard urged against this expedition. Expense is the first of these, and to those who made it I will say—Are lives of captive countrymen and women of less value than gold? Can a saving of expense recompense England's honour outraged by the detention in chains of Her Majesty's Consul and an Envoy accredited by Majesty itself? The second objection is that the lives of those we seek to save might be placed in greater peril by the means taken to release them. Be this as it may, the captives can hardly be worse than they are now, dying, as it were, by inches in their chains, and in hourly, in momentary danger of their lives. Their own earnest desire was to hear of some effort being made to force King Theodore to release them. I hold in my hand some extracts from a letter which have been received from Abyssinia, and only that it is not customary to read extracts on an occasion like the present, I could show that the prisoners themselves implore us to send out a force to release them, and that if not speedily sent they fear it will be too late. The letter to which I refer contains also an account of the indignities to which the prisoners have been subjected; it tells how their swords had been taken from them, and how they had been thrown down before the Abyssinian Monarch. I will say no more on the policy of the expedition; but I hope the House will bear with me while I enter a little into military details. No Government can insure success in any expedition, but they can do all in their power to deserve it; and I can confidently state that no expedition ever started to uphold Old England's honour better prepared by a provident and far-seeing Government. The preparations for an army to invade a country so little known as Abyssinia are necessarily of a complicated and an expensive character; but it will be found that while efficiency has been mainly sought as the truest economy, extravagance and waste have been carefully guarded against. I feel sure the House will approve the selection made of Sir Robert Napier as Commander-in-Chief, whose past services eminently qualify him for that important command. I may be allowed to mention some of the services of this distinguished officer, whose deeds add lustre to the soldier's name he bears. Sir Robert Napier began his career in 1845. He was in the Sutlej campaign; he was at Goojerat; he was at both sieges of Lucknow; he has held important posts in various expeditions; and was second in command in the expedition to China. Her Majesty's Government having found a good soldier qualified to command, appointed him; and then they did the next best thing—they trusted him—and accordingly they had invested him with full power, political as well as military—thus avoiding delays incident to a division of authority and responsibility. The force under Sir Robert's command consists of 12,000 fighting men, efficiently armed, and fully equipped for any duty they may be called upon to undertake. The Papers laid before the House will show how carefully and anxiously Government has made provision for all possible contingencies, by providing an efficient transport and an ample commissariat, combined with arrangements for the health of the troops. To carry out this latter object, three steamers have been despatched as hospital ships, with full medical attendance and every necessary appliance for the sick. It may possibly be urged by some that the expedition is on an unnecessary large scale ; to this I reply that these ample preparations afford the best hope of bringing King Theodore to reason without an actual collision, and if hostilities should unfortunately be necessary, they will tend to shorten their duration. A smaller and less perfectly equipped force might be detained in Abyssinia waiting for reinforcements, and its protracted detention would tend to give rise to complications which it would be most desirable to avoid. I have not adverted to India as the basis of operations, believing it will be admitted the Government have acted wisely in selecting it as the one best adapted for the purpose. As to the Indian army being employed by the Government, these troops have well upheld the honour of our flag in Persia and in China and Japan, as well as in many well-fought fields in Hindostan, and I have no doubt will do as well in Abyssinia; and the selection of soldiers whose habits and whose constitutions were best adapted for service in Africa will meet the approval of the House and country.

The question of our foreign relations is one of the most paramount importance at the present time, and, after the many menacing clouds which have recently hung over the political horizon, and the wars and rumours of wars which have reached our ears, and the various alarms which have for some months pervaded the public mind, the assurance contained in Her Majesty's Speech, that our relations with all foreign Powers are of the most friendly description, and that She sees no reason to apprehend any disturbance of the public peace, will be received not only by the House, but by the country, with feelings of the liveliest satisfaction. If even the rumour of a misunderstanding between European Monarchs, flashed through the telegraph, made the pulse of credit and of commerce vibrate to its centre, how much greater would have been the disturbance of England's commercial interests had war really broken out in Europe. We must all deplore, with Her Majesty, that the peace of Italy has been disturbed; and now we must hope that the bands of volunteers having returned to their homes and peaceful avocations, the Emperor Napoleon will be able to remove his troops not only from Rome but from Italy, and that all cause of discord being thus removed, peace may be restored to Italy.

The House might well deplore with Her Majesty that the treasonable conspiracy called Fenianism, baffled in Ireland by the vigour of the Executive, the good sense of the mass of the people, and the fair administration of justice by Irish juries, should have assumed the form in England of assassination and organized violence. All classes of Her Majesty's subjects will loyally rally round the Throne and the institutions of their country, and, while reprobating those wicked attempts to disturb the public peace, will uphold those whose sad duty it may be to vindicate public justice.

In the last Session important changes in the representation of England were introduced by Government, and after careful consideration by Parliament became the law of the land. Whatever differences of opinion there may have been on this long-vexed question, all are agreed that the measure passed was beneficial, and that these changes have removed considerable discontent from some classes of the people. The country has on many occasions expressed their approval of last Session's work, and this approval will encourage Parliament to approach the question of the Irish and Scotch Reform Bills with the same forbearing spirit and the same candid temper as characterized the proceedings of last Session. I am sure that the judicious concessions granted to our working classes in England will be freely extended to those in Scotland and in Ireland, and when our task shall have been concluded we shall look back with pride and heartfelt satisfaction at having passed measures which I hope will conduce to the public good by uniting all classes of our fellow-subjects in the government of the country. It appears from the Speech that our attention will be called to Bills for the prevention of bribery and corruption. I trust that whatever measure may be passed will tend to remove the plague spot of corruption which is a serious blot on our electoral system, as well as on the character of the House of Commons. The consolidation and revision of the various Acts connected with our Mercantile Marine will be a great boon to our shipowners, masters, and seamen. At present great confusion exists, owing to the fact that there are seven or eight Acts upon the subject, containing some 700 sections, which have to be consulted, and it is difficult for those not learned in the law to find what is applicable to any particular question. I hope the promised reform will make these Acts more intelligible. It is gratifying to learn that the railways, which in the height of panic last year were all eagerly demanding the aid of Government legislation, are now doing the work of reform themselves; and there is good reason to hope that, with greater economy, a better system of accounts, and a determination among all classes of shareholders to forego present dividends unless fairly earned, our great railway system may before long regain in the public estimation that high state of credit from which it ought never, with average good management, to have fallen. Now that the fearful and mysterious disease, the cattle plague, has left this land, we may be enabled to legislate on the subject in a manner which will remove restrictions on home trade; and, while relieving our farmers from all just apprehension as to a fresh importation from abroad of this dread disease, may at the same time encourage that trade which is the only means of insuring a cheap supply of meat for the public. I fear I have too long trespassed on the time of the House, to whom my best thanks are due for the kind attention they have been pleased to grant me, and I have only to express my hope that the Address I have the honour of seconding may meet with unanimous approval.

Motion made, and Question proposed, "That," &c.—[See *Page* 58.]

Mr. GLADSTONE: There is nothing, Mr. Speaker, in either of the addresses which have been delivered by the Mover and Seconder of the Address which would at all tempt me to depart, or excuse me in departing, from the general and prudent rule that excludes controverted matters, as far as possible, from the annual debate on the Address. I have every disposition to conform to that rule, and I am bound to say that I think there are special reasons for adhering to it strictly on the present occasion in domestic circumstances, to which I need not more pointedly refer, immediately affecting the Leader of this House, and with respect to which I will merely take the opportunity of assuring him that he carries with him universal sympathy. I admit that it had been my intention—and I only mention it because I think this was the proper occasion for such a proceeding—to ask of the right hon. Gentleman, and of his Colleagues, some explanation with regard to a declaration which was made during the Recess; but, under the circumstances to which I have adverted, I cannot think of introducing at this moment any topic of the kind. Sir, the Speech of Her Majesty contains little, if anything, of which we have reason to complain. As to the great subject—that of the expedition to Abyssinia—I cordially join with the hon. Gentleman who said that we may still cling to the hope that the Abyssinian expedition may not prove to be the Abyssinian war. It is a natural thing with regard to any war, still more with regard to a war so peculiar in its character, and one as to which it is so difficult to see any definite issue, to cherish as long as we can the faintest hope. I think it is quite evident that we could not make progress to-night, and we should probably only prejudice the future discussion of the question, were the Government to endeavour to obtain at this moment the sanction of the House, direct or indirect, for any proceedings connected with the Abyssinian expedition. Our business to-night is to acknowledge in the most respectful manner the receipt, as it were, of Her Majesty's gracious communication touching the Abyssinian war, and then to await an occasion—no doubt an early one—on which some responsible Minister of the Crown will detail to us what the proceedings of the Government have been, and by what considerations they have been guided. Up to the present time, I apprehend, all action in regard to this question has been the action of the Executive. For the House, it is a *res integra*. In speaking of the Executive, I do not speak exclusively of those who now possess power, nor of the shares in which the responsibility may be divided between the present and the past Government; I merely mean that the House is not committed by anything to anything. It will be its duty, therefore, to exercise a free judgment upon all that has been done. No doubt that free judgment ought to be a considerate judgment; for I fully admit that a more difficult question has rarely been submitted to a Government than the course which was incumbent upon them to take with respect to this matter. We shall expect of them, however, a full and frank explanation, and not an explanation merely of the merits of the case as between themselves and the Emperor of Abyssinia. That I take to be the simplest part of the question; for, as has been well said by the hon. Gentleman who moved the Address, and whom, on this his first occasion of addressing us, I sincerely congratulate upon his most intelligent and judicious speech, no doubt can be raised to the existence in the amplest form of what is called a *casus belli* between us and the Sovereign of Abyssinia. The questions upon which it will be interesting to us to be informed, and upon which the House will have to pass its judgment, are of an order quite distinct from that primary consideration. The great difficulty in the case is to show that the object which we seek is an attainable object—to show that it is practicable to carry on a war with an enemy of whom we may be tempted to entertain the apprehension that he will not fight, but run—and to show by any reasonable calculation how such a war is to be brought to an issue. Upon these questions Her Majesty's Government have means of judging which we have not. I by no means wish at this moment to express any want of confidence in the prudence or fairness or pacific character of their intentions; but I think it right to point to these matters as subjects upon which the country will fairly expect to receive full information. I hope also—it is a point which I have no doubt will not have escaped the attention of Her Majesty's Government—they will be able to show in what relation their proceedings stand to an enactment which passed through the Legislature in the year 1858, in the shape of a clause in the East India Government Act. According to that clause —I do not profess at this moment to quote the exact words—but according to that clause it was made incumbent upon the Executive to seek beforehand the consent of Parliament for military operations conducted by the Indian force beyond the Indian frontier, except they grew out of an invasion of the country, or out of sudden and unforeseen exigencies. [Sir STAFFORD NORTHCOTE intimated dissent.] I judge from the gesture of the Secretary of State for India that he questions the correctness of my reference to the clause; I would say, therefore, the approval of Parliament, not for the military operations—which is, of course, not possible—but for the purpose for which the operations are carried on. [Sir STAFFORD NORTHCOTE again intimated dissent.] If I am wrong I can be easily corrected.

SIR STAFFORD NORTHCOTE: I beg the right hon. Gentleman's pardon for interrupting him; but as the point is one of importance, and as some misapprehension prevails respecting it, I had better correct him at once. The clause as originally introduced—and it was introduced by the right hon. Gentleman himself—was to the effect which he has stated, that it should not be lawful to use the Indian forces for such purposes without the previous consent of Parliament; but in going through the House it was altered, and as it now stands it provides that it shall not be lawful to apply the revenues of India to the carrying on any military operations beyond the frontier without the previous consent of Parliament.

MR. GLADSTONE: My impression of the clause was different; but the right hon. Gentleman's explanation will make it the more easy to show—which the Government are no doubt ready to do — the conformity of their proceedings with the exact provisions of that Act of Parliament. There are two points on which I confess I entertained very great anxiety. One of them was as to the view of the Government with regard to the limit to be placed upon the purposes of this expedition. We are now going into Abyssinia, and the question which the country, I think, will regard with, perhaps, the greatest interest of all is the question, When shall we come out of Abyssinia? Now, as to that question, I am bound to say that nothing can be more intelligible and nothing more satisfactory than the declaration contained in Her Majesty's gracious Speech, that the expedition She has directed to be sent to that country is to be sent for one purpose alone. I do not in the slightest degree understand those words as precluding Her Majesty's Government, in the exercise of their discretion, from availing themselves of the temporary opening which these unhappy circumstances may afford for purposes useful to science, to peace, and to civilization; but I do understand these words as carrying a complete disavowal on their part of all intention and of all desire to make this expedition subservient or instrumental in any degree either to purposes of territorial aggrandizement—which they would hardly dream of—or to the contraction, in whatever form, of new political responsibilities. I think that, difficult, doubtful, and dark, as necessarily are many of the circumstances of politics, one thing there is beyond all doubt and question, and it is that the people of this country are at this moment fully charged, and, perhaps, overcharged, with responsibilities of Empire from which they cannot in honour escape, but to which it would be folly and guilt gratuitously to add. I hope also that another important subject, strictly germane to this Abyssinian question, and an essential part of it, will be dealt with in a manner creditable to the House. The rumour is that a large sum will be asked for; there is also a rumour that a limited portion of that sum may be charged on the revenues of India. The matter is one upon which it is quite unnecessary for me to give an opinion this evening; but I cannot help expressing my hope that if we are to be asked — as we must be asked — to incur a heavy expenditure, the Government in their plans and provisions for meeting this expenditure will confide in the courage and prudence of Parliament and the country, and will not propose to make that charge an addition to the debt of the country by saddling it upon future years. I do not ask them for any declaration whatever; but I wish to assure them, on my part, that in case they act upon the principle, the wisdom of which I think has been acknowledged of late years, that we should endeavour as far as possible to meet the whole wants and expenditure of the day out of the means and resources that the day provides, these proposals will receive from us, I think, a fair consideration in no hostile spirit. Of course, I cannot compromise freedom of judgment on my own part or on the part of others as to the particular means of carrying out the object; but with regard to the principle, I have thought it right to say thus much. I pass over the general expression in Her Majesty's Speech with regard to our relations with foreign Powers, and I come to a matter of concern to England. Considering the immense importance of the Italian question to European civilization as a whole, and considering that the Italian Kingdom has now become an essential part of our present European civilization, I think Her Majesty's Government could not avoid advising Her Majesty to take some notice of recent painful circumstances — painful circumstances I cannot but call them. I confess that with the defective and partial information that I possess, which I hope may be enlarged by future disclosures, I am not able to regard with entire satisfaction any portion of what has taken place; but I do not think there is any just cause to complain of the manner in which Her Majesty has been advised to refer to this subject, nor do I think that the noble Lord (Lord Stanley) or the Government could have acted more prudently than in recommending the Crown to intimate in the friendly manner in which it has been couched the desire which Her Majesty has uttered. I make, therefore, no complaint whatever of the reference in the Speech or the Address to the Italian question. With respect to "the treasonable conspiracy commonly known as Fenianism," at a moment like the present, when the Executive Government has to discharge, on its own responsibility, an important function, I think I shall best perform my duty by refraining from any general expression of opinion as to the precise character of that deplorable movement and the way in which it ought to be met. I observe we are told that that conspiracy "has assumed in England the form of organized violence and assassination," and I cannot doubt that in advising the Crown to use those terms Her Majesty's Government are in possession of knowledge by which they think them to be strictly and absolutely justified. But as respects the more general purpose of the sentence, I am sure the Queen is well sustained in the expectation She entertains that in the firm and discreet administration of the law She will at all times be supported by the great mass of her subjects, and especially by her subjects as they are represented in this House. I am glad, Sir, to perceive that Bills are to be laid before us for amending the representation of the people in Scotland and in Ireland; and I cordially join in the expressions of the Mover and the Seconder, that we should address ourselves to the consideration of these Bills with a feeling of the public duty incumbent upon us, and likewise with a conviction that our own honour and credit are in a peculiar manner involved in bringing to a shape of completeness and to an issue satisfactory all those portions of the question of Parliamentary Reform which still remain undisposed of. But as the name of Ireland occurs in connection with this subject of Parliamentary Reform, I shall venture upon two remarks. I do not presume to impute blame to the Government for refraining from submitting to Parliament—especially at the particular moment when Parliament this year is called together — a declaration of its intentions upon a question so beset with difficulties as the question of land tenure in Ireland; but, considering the magnitude of the Irish question at all times, and its immense and growing magnitude at this time, and how largely this question is affected by matters relating to the tenure of land in Ireland, I am very sorry that Her Majesty's Government have not felt themselves able to assure us that they mean to renew their efforts for the Parliamentary settlement of this long-vexed question. I believe that a Parliamentary settlement of this question is required; and although there were provisions in the Bill of last Session to which it was impossible, I think, for this House to assent, yet, on the other hand, it involved some principles of great value to which I trust Her Majesty's Government will be prepared to adhere. The other word I have to say refers to a matter upon which I am rather desirous of obtaining some information—namely, the Established Church of Ireland. I find that the Commission of Inquiry which has been issued by Her Majesty has not yet been laid upon the table of this House. If it had been, I should have taken pains to acquaint myself with its terms, so as, if possible, to avoid any necessity for a Motion upon the subject. But I have heard it reported that the Commissioners appointed to inquire into the Established Church are not to be Commissioners for the simple collection and presentation of facts—a work doubtless of great utility—but that their instructions will give them authority to propose plans for dealing with the Established Church of Ireland. I mention that rumour in the hope that it is an untrue rumour. I own it appears to me that it would be an error to refer to a Commission the preparation of plans for dealing with a national question of that order; and in the circumstances with which that question is surrounded, I do not think this House could consent to consider as exempted from its own jurisdiction the question of the Church in Ireland during the period that such a Commission might very fairly claim to spend in the deep deliberations that preparation of these plans would involve. A Commission for the examination and collection of facts, I have no doubt, will be useful; but, if their instructions go beyond the examination and collection of facts, I wish to state respectfully for my own part that I do think this House, if it should see fit to take measures with respect to the Established Church in Ireland, would be bound to refrain from doing so, because the very unusual course has been taken of referring to a Commission a question of such vast national and political importance. I therefore trust that the rumour I have heard is untrue, and that the Commission is one appointed only for the purpose of bringing into public view the facts of the case in a clearer light than we see them now, and that the mode of dealing with the Established Church will be reserved entirely for the discretion of Parliament. Sir, the other portions of the Speech are necessarily somewhat vague. I do not think there is any reason why we should find fault with them upon that ground. It is never wise in the Queen's Speech to be too definite and detailed in the character of the pledges given, because impediments to legislation may arise from the most legitimate causes, and yet much disappointment may be caused by the failure of promises too freely made. Naturally, a Parliament that meets in November cannot expect the same amount of light as to the intentions of the Government as a Parliament that meets in February. I have therefore only to say that, assuming, as I do assume, the Address to be framed in such a manner as to leave entirely uncommitted the judgment of the House on the important question which is the immediate cause of our being summoned here, I am glad that I can concur in the Motion of the hon. Gentleman opposite for a loyal Address in accordance with the Speech from the Throne.

The CHANCELLOR of the EXCHEQUER: I beg to thank the House for the sympathy it has shown me. I am much touched by the manner in which the right hon. Gentleman (Mr. Gladstone) has alluded to my domestic affliction, and by the way in which the House has received his allusion to that subject. The right hon. Gentleman has made a speech, of which I think every one must recognise the fairness and wisdom. I agree with him in thinking that the Address was moved by my hon. Friend (Mr. Hart Dyke) in a manner which engaged the attention and interest of the House, and certainly it was seconded by my hon. and gallant Friend (Colonel Hogg) in a speech which every one will acknowledge to be one of ability. The right hon. Gentleman is perfectly correct in his assumption that on the part of the Government we do not for a moment suppose that the House will be at all pledged by agreeing to this Motion to our Abyssinian policy. The House will consider the whole subject when it is brought before them—as it will be brought before them in a legitimate manner in a very short time —as if the matter were then introduced to their notice for the first time. It will not for a moment be understood by the Government that, because there may have been in this and the other House of Parliament one or two discussions on Abyssinian affairs, or because hon. Gentlemen may have expressed opinions on the subject, the House is thereby at all pledged or precluded from deciding on the question after full and free discussion. The Government will at the proper time be prepared to vindicate their policy and the course which they recommend Parliament to adopt. Indeed, it is most expedient in a question of this kind—especially where we have to deal with a remote country, and where our calculations must be based on circumstances involving great difficulty of detail—it is most expedient that no decision should be come to by Parliament until there has been such a discussion. We are quite prepared for it; and we have every confidence that in all we have done we shall obtain the concurrence of this House. The right hon. Gentleman has treated the matter so fairly in his observations this evening, that I think we may assume that we shall go into it without treating it as at all a party question. With regard to the other recommendation which the right hon. Gentleman has made as to the manner in which we should carry on the war, if war should be inevitable, I hardly think it would be convenient to enter into that question now. The time is near when it will be my duty, or that of some other Minister, to place the whole matter before the House; and, considering that some of the papers relating to Abyssinia have only been laid on the table this evening, I think it would be premature to enter on a discussion of it now. I assume that Gentlemen on both sides will be anxious to make themselves masters of the information placed before them, and placed before them with probably as little reserve as has ever been used in respect of any public documents, previous to entering on a discussion of the Abyssinian question. Sir, I will not touch on other questions connected with foreign affairs to which the right hon. Gentleman has alluded. It must be satisfactory to the House to hear from the Throne the assurance that friendly relations exist between Her Majesty and the other Powers to which the right hon. Gentleman has referred. We all must deplore what has occurred in Italy; but I think this is not a convenient occasion to enter—if, indeed, it should be necessary to do so—on the cause of that unhappy disturbance. I believe that the spirit in which Her Majesty has addressed us on that subject will be approved and re-echoed by the House. I hope the House will, in their Answer to Her Majesty's gracious Speech, concur in the wish that within a short time the presence of foreign troops in Italy will cease. With respect to the very important questions connected with Ireland to which the right hon. Gentleman has referred, it must not be assumed that when the House meets in February it is not the intention of Her Majesty's Government to deal with many subjects not particularly referred to in the Speech from the Throne. With regard to the Irish land question, I do not think that any of the Governments with which I have been connected can be accused of having passed it over. Although our efforts to bring that question to a solution may not have been fortunate, I think no one will deny that great pains have been taken by us to effect that object, and the right hon. Gentleman has been just in remembering that last year, though the time of the Government and the House was greatly occupied with other weighty matters, no contemptible effort was made on our part to deal with the Irish land difficulty. The House, therefore, must not infer that, because the subject is not mentioned in the Speech from the Throne, Her Majesty's Government have given up the solution of the question in despair. On the contrary, if they have an opportunity, I think I may say a Bill on the subject will be brought in during the present Parliament. With respect to the question of the Irish Church, I think that in his allusions to the Commission the right hon. Gentleman gave too wide an interpretation to some of the expressions in the document appointing the Commission. However, as I believe a copy of that document will be placed on the table tomorrow, it is unnecessary to say more on the point at present. The right hon. Gentleman has given prudent counsel to Ministers and to the House as to the vague terms on which, on the whole, it is necessary to frame a Speech from the Throne; and therefore I will not defend a paragraph which has not been attacked. I may, however, say thus much—that the passage referring to Education is not a rhetorical flourish. Her Majesty's Government have given their most earnest attention to the subject; but at the time when Parliament has now been called together, we should not feel justified in referring more specifically to our efforts and intentions in that direction. I again beg to thank the House for their great kindness.

MR. HORSMAN: I rise to ask an explanation of the Government respecting a rather important matter which was lightly touched upon by my right hon. Friend the Member for South Lancashire, but upon which I look to the noble Lord the Secretary for Foreign Affairs to give us fuller information. The paragraph of the Royal Speech referring to Italy is the longest one in it; but, at the same time, it conveys the least amount of information. The right hon. Gentleman the Member for South Lancashire has assisted in the composition of so many Queen's Speeches, that he shows great indulgence for vagueness in the present one; but this paragraph is so constructed that it tells us nothing that we did not know before. I agree with the right hon. Gentleman that the events in Italy are of a very painful character, and I hope the House is not prepared to deal out one measure of justice to those who raised the insurrection and another to those who put it down. I must say that I cannot approve the conduct of either party in this affair. I regret the movement of Garibaldi; but I protest, also, against the movement made on the part of France. When we are told that the action taken by France has secured the Papal territory against foreign aggression, I must say that I think the most objectionable, unjustifiable, and injurious invasion of the Papal territory is that which has been made by France. The Speech from the Throne seems to treat the Italian question as if it were exclusively a question between France and Italy, and one to be viewed solely in reference to the Convention between those two Powers. If that were so, we should express surprise that the subject was introduced in the Royal Speech at all, because it would be one in which England had no interest. But we have received to-day the report of another Royal Speech delivered to another Legislative Assembly yesterday, and in it we find a larger and more statesmanlike view of this matter. The Emperor of the French tells his Chambers—

> "The relations of Italy to the Holy See interest the whole of Europe, and we have proposed to the Powers to settle these relations at a Conference, and thus to prevent new complications."

Now, to that statement I wish to draw the attention of the noble Lord (Lord Stanley). England is among the Powers which have been invited to this Conference. May I expect the noble Lord to give us some information as to the character of the invitation, and as to the character of the answer to it? I rejoice to hear that the Emperor has invited England and the other Powers to go into this Conference. I rejoice at it for two reasons—first, I rejoice at it because it shows that the Emperor is not satisfied with the present position of things in Italy, and therefore desires a change; secondly, I rejoice at it because I am satisfied from its terms the Emperor wishes that change to be in the direction of completing the union of Italy. If those be his views in proposing a Conference, there ought to be no difficulty as to what answer England should return to the invitation. It is not necessary that the noble Lord should, in the first instance, give an answer either in the negative or the affirmative; nor is it necessary, as some imagine, that a basis of negotiation should be agreed upon beforehand; but I think it is the duty of an English Minister to take care that the Conference is not a mere idle ceremony, and that in his answer he should communicate to the Emperor of the French that as the representative of England it will be his business to draw the attention of the Powers to three important points, and to ask for a decision respecting them. These points are—first, as to the nationality of Italy; secondly, as to its liability to French intervention; and thirdly, as to the manner in which the revolutionary spirit is fomented by the recent proceedings in Italy. It is impossible for any one who looks at the state of Italy not to see that its unsettled condition is a standing menace to the peace of Europe. Indeed, it is not a month since every Bourse in Europe was agitated by the belief that we were on the very verge of a religious war—Italy and Prussia on the one side allied on behalf of nationalities, against France united with Spain and Austria upholding the principles of the Holy Alliance. We have escaped that war

— no one knows how narrowly or for how short a time—but it is evident that the danger may recur at any moment, and it is not for the interests of England nor of Europe that such a state of unsettlement shall continue. Look at the state of things in Italy. There are two Sovereigns, the Pope and the King of Italy, regarding each other with intense hostility, and each in an aggressive attitude. The Pope will not recognise the King of Italy, he ignores his acts and fulminates periodical censures against his Government, and so far as the Pope's efforts can bring about that result, the King of Italy sits on an uneasy throne, with subjects of doubtful allegiance. On the other hand, the King of Italy abjures the temporal Power of the Pope. He insists, in the name of Italy, that a dependent Power is no Power; that a protected Power is not a Power; and that a Power which has no national recognition and no willing obedience, and which commits its safety and dignity to the keeping of foreign mercenaries is not a Power, but a fiction and an intrusion, against which he will wage ceaseless war till the unity and independence of Italy are crowned by the possession of Rome. In saying this, I express no opinion as to the rival claims of the contending Powers; I am only describing the situation. If it were merely an Italian question the Italians would settle it for themselves easily enough; but the Catholic Powers have regarded it as a religious question, and France, as one of them, has charged herself with the protection of the Pope. For fifteen years the French Emperor kept an army at Rome; but he found it a thankless office, odious, discrediting, embarrassing, expensive, and at last unsafe. He accordingly withdrew under cover of the September Convention; but that Convention, as we all see now, was, from the first, a worthless instrument, an unjust compact forced by the stronger Power on the weaker; it was soon perceived that it could not stand. Events have been too strong for it. The Garibaldian invasion brought the French Army a second time to Rome; but the defeat and dispersion of the Garibaldian Volunteers, alluded to in the Speech from the Throne, instead of leaving the Emperor of the French master of the situation, has made him more its slave than ever. For he is in this false position — bound by the Convention and by his obligations to the Catholic Powers to protect the Pope, but was bound by his antecedents, his sympathies, and his interests to maintain friendship with Italy. But the two things are incompatible. He cannot protect the Pope without humiliating Italy; he cannot assist Italy without sacrificing the Pope. In France his position is equally embarrassing. In France, too, there are two powerful parties—the clerical party and the popular party—and both of them look up to the Emperor as their head. The Church party hail him as the eldest son of the Church; the popular party hail him as the eldest son of the Revolution. He is dependent upon both, and dare not offend either; so that he becomes entangled in a middle course of temporizing expedients. Then the position of the King of Italy is still more painful. He cannot control the wishes of his people, and it would be madness to brave the armies of France. He also has to make a choice — either to dare all and be honoured as the King of Italy, or to surrender all and be denounced as the vassal of France. He made his choice, and the result has been far more damaging to the Emperor of the French than to him. The victory of Magenta has added no laurels to the army of France; but the popular party in France is much offended — and bitter exasperation is felt in Italy—and these feelings are fraught with public danger. The Italian Monarchy is discredited and weakened, and to the same extent the republican element is strengthened in Italy; and we have signs that there are inflammable materials in France in dangerous propinquity to the revolutionary spirit in Italy. The cry of the French *ouvriers*, unheard for many years, has lately been ominously revived with intervention. "Down with intervention," "Long life to Garibaldi,"—that cry conveys a warning which no French ruler can dare to disregard. And it warns Europe also that there is a smouldering volcano in Italy which no one deserving of the name of statesman can fail to perceive, and which perceived, it would be folly and criminality to disregard. Under these circumstances, the Emperor of the French invites England and the other Powers to a Conference for the settlement of the Roman difficulty; but a common opinion in England is that we ought at once to answer by a point-blank refusal. But I have asked why, and have been told that it is solely the Emperor's business—that he has got himself into the difficulty, and that he must get out of it as he can. I deny, however, that it is exclusively the Emperor's difficulty — I maintain that it is a European difficulty, and one which every European Power has an interest in solving. If the noble Lord has not yet decided upon the answer which he will give to that invitation, and if it be still under the consideration of the Government, it appears to me that whatever disinclination may be shown by other Powers, he might at least, as a preliminary to the Conference, propound certain questions and give a practical and determinate character to its deliberations. Such questions, for instance, as these:—Is the nationality of Italy a religious or a secular question? Ought the sovereignty of the Pope to be a spiritual or a temporal sovereignty? Shall the head of the Catholic Church enthroned at the Vatican be under the protection of a foreign or a national army? In fact, it could all be summed up in a single question—As all the smaller States in Italy have been allowed to free themselves from the trammels of the Treaty of Vienna and unite themselves under one Italian Kingdom, ought the smallest and most anomalous of all those sovereignties to be made the only exception, and the population of the Roman States coerced into allegiance by foreign arms? If the noble Lord propounds these questions for the Conference, which, as far as we are informed, is still beating about for a basis, he will, by eliciting answers to them, have performed a great service and made a great advance towards the solution of the difficulty. He would, at least, compel both Ministers and Kings to speak out and declare which of them are ready to face and terminate this difficulty by coming to a negotiation on a sincere and solid basis. I feel that it is for England and for the noble Lord not only a responsibility and a duty, but also a great opportunity—for whatever disinclination we may have to interfere in European complications, still with regard to any question where the principles of liberty and peace can be combined, it is for an English Minister to place himself, if necessary, in the van, and to shrink from no responsibility in the discharge of a great duty. This is not a question of sentiment or religion, or territorial aggrandizement or extension. It is a question of high international policy and should be determined solely by those principles of public law and public morality which are the foundation of the rights not less of nations than of individuals, and on which depend at this moment, in my opinion, the well-being of Italy, the safety of France, and the peace and tranquillity of Europe.

LORD STANLEY: I do not think this will be a convenient opportunity to enter into a speculative discussion as to the possible settlement which may be arrived at of the Roman question, or to criticize the course pursued by Governments other than our own. But I am quite ready to do that which the right hon. Gentleman (Mr. Horsman) has asked me to do—that is, to state briefly, and I hope explicitly, what is the attitude assumed by Her Majesty's Government in regard to the recent occupation of Rome by a French army, and the still more recent proposal of a Conference to settle the Roman question. As to the first point, my answer will be very simple. The occupation of Rome was not a matter on which we were called by any treaty or engagement, officially or formally, to express an opinion. On that account, and because under the circumstances of the case I felt, that however one might regret the step, intervention would probably be ineffectual. Her Majesty's Government have not attempted any formal intervention; but it became my duty, on the part of the Government, to point out to the French Government that, whatever might be the difficulties with which they were pressed, whatever necessity they might conceive themselves to be under to take this step, I could not but fear that the effect on public opinion in this country of the re-occupation of Rome would be very unfavourable. In some matters of difference which have arisen between Italy and France in the course of these transactions, the good offices of Her Majesty's Government have been solicited on behalf of the Italian Government. That assistance was frankly asked, it was cheerfully given, and it has been gratefully accepted. With regard to the proposed Conference, the House is aware that invitations to attend it have been sent to, I believe, almost all the Powers of Europe by the French Government. The reply of Her Majesty's Government was sent a day or two ago, and therefore any argument delivered now, however able it may be, comes too late to modify that reply. It would not be convenient or in accordance with custom to lay upon the table of the House any papers so long as the negotiations continue; but I have no objection to state—

and I think it only right I should state—what is the general substance and purport of the reply which has been given. It is, in effect, this—that we do not believe any advantage will arise or any practical result follow from the Conference; unless, in the first place, there is some definite plan proposed for consideration and discussion in the Conference; and unless, in the next place, there appears from preliminary negotiations to be no reasonable doubt that that plan will meet with the assent of the parties most interested. I own, looking at the actual state of the case—looking at the wide divergencies of opinion which prevail between Protestant and Catholic Powers upon this question — I am not very sanguine as to these conditions being realized; and I am quite satisfied of this —that to go into a Conference without some previous understanding of that kind would be merely a waste of time. A Conference is an excellent machinery for giving a formal and solemn ratification for, as it were, taking note of a decision which has been already come to; but where there is a wide and fundamental divergence, not upon questions of detail, but upon questions of principle, I own I am not sanguine enough to hope that the mere fact of bringing a certain number of Ambassadors and Ministers to meet in the same room and discuss a question will be sufficient to put an end to these divergencies. If a Conference offered a chance of agreement, I for one should greatly regret to lose it. I believe every one would be glad to remove a cause of quarrel which may at some future time lead to Continental war. At the same time, I am bound to say it is not a matter in which, as it seems to me, the British Government is primarily and directly concerned, except so far as we all feel a sympathy with the people and the kingdom of Italy, and except so far as every question interests us which concerns European civilization. We are bound to do what may be fairly expected from neighbours and friends; but I do not think that in a question of this kind, not directly touching any English interest, we ought to expose ourselves to the risk of getting involved in future complications, and thereby of increasing the number of the responsibilities which we have already undertaken.

SIR GEORGE BOWYER said, he would not have trespassed on the House but for the Speech of the right hon. Gentleman the Member for Stroud (Mr. Horsman), who would deprive the Holy See of its temporal power because the Emperor of the French was in a difficulty. He thought the right hon. Gentleman might relieve himself of all anxiety on that point, because the French Emperor was quite capable of dealing with the question in a manner satisfactory to himself and the great nation over which he rules. Victor Emmanuel, no doubt, was in an embarrassing position; but who was to blame? If he had carried out the September Convention, to which he put his hand, this complication would not have taken place. He had an army of 50,000 concentrated round the dominions of the Holy Father, and he could easily have stopped the invasion of them by those who were called "volunteers" in the Queen's Speech, but who deserved no other name than that of filibusters or marauders. Instead of doing so, he allowed offices to be open for recruiting the invading force, permitted subscriptions to be received for them, and allowed Italian soldiers to desert his army and join Garibaldi in an attack made in violation of all the laws of nations, and which in reality amounted to piracy. Victor Emmanuel had acted in utter bad faith on the whole matter. He thought that when the filibusters got within a certain distance of Rome, the people of the Roman States and of the city of Rome would declare themselves for the Government of Florence, and then that his troops would have had a pretence for marching in to preserve the peace, but really to take possession of the dominion of a Sovereign against whom he had no *casus belli*. But it was a fact that the filibusters met with no sympathy in the Roman States. There was not the slightest revolutionary movement in support of the Garibaldian attack, although the effect of it was to remove the greater part of the troops of the Holy Father from the city of Rome and to compel them to go to the frontier in order to resist the invader. It would be strange, indeed, if the subjects of the Pope manifested any sympathy with the Garibaldian movement, for they had no desire to expose themselves to conscription, heavy taxation, and the consequences of national insolvency. They preferred to remain under the mild and beneficent rule of the Holy Father. These, he maintained, were facts which could not be refuted. To argue that the Holy See was to be deprived of its temporal dominion because it had been the cause of the disturbances of Italy, was very much like contending that a man ought to part with property because it was a temptation to thieves and burglars; and if the reasoning were to be acted upon, there was an end of International Law and public morality. It ought to be the business of the Conference to devise measures to prevent such violations of International Law. The right hon. Member for Stroud (Mr. Horsman) had quoted the assertion that the temporal power of the Holy See was supported by "foreign mercenaries." [Mr. HORSMAN dissented.] He was glad to see the right hon. Gentleman did not go so far. What was a mercenary? A mercenary was a man who let out his sword to hire for money, and who was hired to fight by any one who would pay him. But the Pope's soldiers were not mercenaries; they did not fight for the Holy Father for money — they fought for him on a religious principle, and also on the political principle that an established and ancient Government ought not to be disturbed and overturned by filibustering invaders who had no *casus belli* against it. The troops of the Pope were not "foreigners," because no Roman Catholic could be considered a foreigner in Rome, which was the capital of the Catholic world. They went there, not to support a foreign Sovereign, but to uphold a cause in which they as Roman Catholics were most deeply interested. His own opinion was that the Conference would come to nothing. The fact was that it had nothing to settle. The filibusters had been routed by the troops of the Holy See, assisted on one occasion by those of France. The perfidious conduct of the Government of Victor Emmanuel in helping the filibusters had been exposed to the contempt of Europe, and it was doubtful whether for some time to come such an attempt could be renewed. The Holy Father was now in full and peaceful possession of his dominions, with the full assent of his people. It was true that his troops were not wholly his own subjects, because his territory was too small to furnish a sufficient force; but it was now clear that these troops were not required to defend the Pope from his own subjects. No troops whatever were necessary for that. So far as his own subjects were concerned, the Pope might remain in safety in Rome with a single soldier. But troops were necessary to prevent the incursions of lawless marauders, encouraged by Victor Emmanuel. If the Congress impressed strongly on the mind of Victor Emmanuel the necessity, for his own sake, and for the peace of Europe, of refraining from any such attempts in future, and of consolidating his own dominions, they might do a great deal of good. He believed that the people of those Italian States the Sovereigns of which had been dethroned now deeply regretted what had been done. Naples and Sicily were especially in a deplorable condition, oppressed by taxation, by unjust laws, and by the conscription; and the inhabitants saw their country, once rich and prosperous, now reduced to a miserable state of poverty and degradation. From the information he had received, he believed that the people of those States would be glad to throw off the yoke and recall their old Sovereign.

MR. NEWDEGATE said, he thought the right hon. Gentleman the Member for Stroud (Mr. Horsman) had put a very opportune question, because he (Mr. Newdegate) shared with a very large body of his countrymen the strong feeling, that England had better have nothing to do with negotiations for the establishment of the temporal power of the Pope in the States around Rome. It was impossible to forget that in 1814 England intervened to re-establish the Papacy in possession of the Pontifical States. And what was the result? The ink was scarcely dry upon the documents effecting this purpose when the Pope re-organized an order, the primary function of which is to make war upon every Protestant State. That was the gratitude with which our intervention was received. He hoped that England would never again interfere in the establishment of a Power which, although territorially insignificant, was of vast European importance; because although the Pontifical States were narrow in their sphere, they served as a basis of operations for an agency that had disturbed, and would again disturb, the existing Governments in Europe which were not under the immediate influence of the Pope. What had occurred since 1814? If they look back to the despatches of Lord Clarendon and the declarations of Lord Palmerston in that House, they would find that the Jesuits, supported by Rome, had fomented, in 1847, the outbreak which took place in Switzerland; and in more recent times Russia had been obliged to break off her relations with the Holy See, because the Holy See had promoted the insurrection in Poland. The Brief just issued was full of menaces against Russia. In the Encyclical, issued two years ago, when the temporal power of the Pope was spoken of, it did not mean the possession of those narrow States, which recent events had left him, but a power of interfering, under the pretext of religion, in the temporal affairs of every State in Europe. He agreed with the right hon. Member for Stroud, that the Emperor of the French had undertaken a grave responsibility in his recent intervention. And why? He protected a Power the mission of which was politically to disturb all the other Powers of Europe; he had intervened to maintain a State, which serves as a centre and a refuge for a political propagandism, which had proved itself adverse to the maintenance of peace and order in every State that does not acknowledge the supremacy claimed by the Papacy. The Emperor might have undertaken the task from will or from necessity; but it was a fact that the political agency to which he had referred, the active agency of the Papacy throughout Europe, was particularly strong in France. The Reports of M. Dupin and M. Persigni, which had been published some years ago, showed that the regular religious Orders were obtaining, through affiliated lay associations, an amount of property and a position in France, which threatened to overbear the power of the State. He trusted that Her Majesty's Government would adhere to the wise course that had been indicated by the noble Lord at the head of Foreign Affairs (Lord Stanley), and that, remembering that we owed our freedom to the Protestantism, on which our Constitution is based, England would take no part in a Conference, the result of which, according to the expectation of France, was to confirm the Papacy in the possession of its territory, whence it might assail, not only Italy, but all the Governments of Europe which were not subservient to its policy.

Sir PATRICK O'BRIEN said, he rose to enter a disclaimer against the observations of the hon. Gentleman opposite (Mr. Newdegate) with reference to the conduct of the Pope in regard to Poland. He maintained, in opposition to what had fallen from the hon. Gentleman, that every Catholic in the world owed the Pope a deep debt of gratitude for the language he had used in condemnation of the Russian Government for its treatment of its Polish subjects. The Poles had been despoiled of their properties, they had been hunted from their country, and were exiles throughout the world, and now that nothing was left to the remnant of the race but their religion and the right of worshipping God in the faith in which they had been brought up, the Russian Government were doing everything in their power to deprive them of that. And because the Sovereign Pontiff, who was the head of the Church to which the great mass of the Polish population belonged, presumed to lift up his voice and protest against such tyranny, the hon. Gentleman got up and denounced him. He spoke not as a Catholic merely; but he believed that every man ought to feel indignant that a great and gallant people, who had once saved Europe from the Mussulman, should be subjected to the heartless tyranny of Russia.

Mr. P. A. TAYLOR said, that the noble Lord the Secretary of State for Foreign Affairs had stated that England had no direct interest in the question of French intervention in Italy. He begged, however, to differ entirely from that statement. Had England no interest in European justice, and had she no reason for protesting when acts of enormous injustice were committed? Had she no faith in the principle of non-intervention which she had preached so often to other nations? If she had, was she not called upon to protest against one of the most gross and enormous violations of the principle of non-intervention that ever occurred in the history of the world? The invasion of the Papal territory by the Emperor of the French was a gross violation of that principle. It was a mere act of political brigandage to attack the little band of gallant Volunteers under Garibaldi and try the new weapon upon them. It was a sanguinary epitaph upon the glory of the French flag to have it recorded, as had been done by the General in command, that "the Chassepot rifle had done wonders." The attempt which had just been renewed had been kept up for nearly twenty years to put down by French arms the people of the Roman States. He had nothing to do with the kingdom of Italy or with Victor Emmanuel; he spoke merely with regard to the people of the Roman States, who were kept down simply by a body of mercenaries. ["No, no!"] The hon. Baronet (Sir George Bowyer) denied that they were mercenaries, because though paid for what they did, they acted *con amore.* But it could not be denied that they were not Roman troops or that they were gathered from all parts of Europe, and that they had been told by a French General that they were still under the French flag. The hon. Baronet spoke as though the Roman Government was a popular Government, and as though it was invaded only by a few bands from the outside. [Sir George Bowyer: Hear!] Garibaldi had invaded the Papal territory, but it was only to relieve Rome from that system of terror under which the prisons were filled, the best men exiled, and the people kept down by the force to which he had referred. ["No, no!"] Why, that they were kept down was proved by the *plebescites,* which had been taken in the places occupied by the Volunteers. The full force of infamy, however, on the part of France could not be realized by what had taken place this year. They must go back to 1849 to realize it. In November, 1848, the Pope fled—abdicated ["No, no!"] —at all events, he left his dominions without a Government. He left behind a Commission which declined to act, and after a time the Chambers met, appointed a Provisional Government, and declared themselves abolished. After some weeks a Constituent Assembly, chosen by universal suffrage, was summoned, a large majority of the adult male population having voted for it. Of that Constituent Assembly, consisting of 150 members, 144 met, and the vast majority voted for the abolition of the Papal power and the establishment of a Republican Government. There were only 11 that voted that such a proceeding was inopportune, and only 5 who advocated the retention of the temporal power. How was that resolution received through the rest of the Papal States? With the greatest enthusiasm. Between 250 and 300 municipalities proclaimed their absolute adhesion to the new Government. Week after week the Government continued, and it could not be said that that was not by the will of the Romans, because of the 14,000 men composing the Roman army only 10 per cent were strangers—Italians from other parts of Italy. For many weeks that Government continued to maintain peace and order, as was shown by the best testimony, our own Consul declaring that affairs were well managed and with the assent of the whole of the Roman States. So things went on until the defeat of Novara; and

ultimately the Constituent Government was driven out by the French army in July. All this taken together formed a history of political tyranny and wrong which had few parallels in the history of Europe. Well, that was the oppression which free England was asked to sanction —the tyranny of a priestly Government to receive the sanction of Protestant England. France withdrew her troops only when the September Convention was concluded, and that Convention she herself violated when she permitted the enlisting of large bodies of mercenaries. Now that France had violated her own pledges and had again invaded the Papal States, there was another opportunity afforded for re-considering the whole question. There was, at any rate, an opportunity for England to protest against the abominable tyranny which had been so long exercised. He looked with the deepest sorrow upon the communication which the noble Lord the Secretary for Foreign Affairs had made that night. He had expected something better from the Government. He knew their position had been rendered more difficult and complicated by the miserable conduct of the Whig Government in 1849, when our sanction was given, under Lord Palmerston himself, to the invasion which then took place. To what extent we were to carry that subserviency was a matter for serious consideration. We knew that already troops were pouring into Civita Vecchia, and that arrangements were being made in Naples, possibly to secure again the disruption of Italy. If England allowed such infamous proceedings she would incur the contempt which deservedly followed the abnegation of all international duties.

Mr. BUTLER-JOHNSTONE thought the Roman question occupied a very subsidiary position in Her Majesty's Speech; but, as some discussion had arisen upon it, he wished to express his opinion that it was one of much greater complexity than hon. Members had represented it to be. The conflicting interests at stake were so serious and apparently irreconcilable—on one side the future and the aspirations of the great Italian people, on the other the natural desire of the Roman Catholics of Europe that their religion should secure the freest exercise by its head being an independent Sovereign—that he did not expect that any Conference that could be assembled for its consideration could bring about a settlement. As far as this country was concerned, it seemed to him premature to discuss whether any action was required on our part; for he would ask what power did we possess of giving effect to our opinions? Supposing we wished to prevent the French from occupying Rome, what power could we exercise? Were we masters of the Mediterranean, and could we hinder the despatch of 50,000 men from Toulon to Civita Vecchia? Would it not be well for us to consider the state of our own army? Why, we had scarcely an army that could face the mercenary troops of the Pope, as they had been rather invidiously called; for many of them were persons of fortune and position, who had gone to fight for what they held dear. We could scarcely send an expeditionary force sufficient to deal with the Papal army, and it was idle therefore to talk of preventing the French from marching on Rome. Before assuming so high a tone, it behoved us to consider the state of our army and what were the forces at our disposal. The question, however, which the House had been summoned to consider was the Abyssinian Expedition rather than the Roman question. He trusted that the assembling of Parliament at this time of year would not prove more destructive to hon. Members' health than the climate of Abyssinia to our troops, and he might add a hope that hon. Members were not being educated to the custom of winter Sessions.

MR. WHALLEY said, he regretted the terms in which the Italian Volunteers had been referred to in Her Majesty's Speech; but he cordially thanked the noble Lord (the Foreign Secretary) for his intimation to the French Ambassador that the Emperor's intervention at Rome would be attended with very great unpopularity in this country. For his own part, he believed that on no subject had the opinion of the English people been so decided and universal. The people of this country regarded the intervention of the French Emperor as a clue to the Imperial policy of the last twenty years. We had been spending millions after millions on account of French armaments, and it now appeared that the policy of the Emperor was "peace," indeed, but only as long as he had his own way, and that he hoped to gain his ends by the mere terror of his arms, without finding it necessary to resort to war. He now stood forth as the Sword of the Papacy; but though he placed so rigorous a construction on the September Convention, he acted very differently when the integrity of Denmark was at stake. The Emperor having assumed to himself the protectorship of the Papacy, no one could tell where his policy would end. He had sent an expedition to Mexico to redress the wrongs of the Papacy there, and who could tell that he might not find that "the honour of France" might not compel him to espouse the cause of Papacy in Ireland? For himself, however, he did not believe our forces were so incapable of efficient action in case of emergency as had been represented by the hon. Member opposite (Mr. Butler-Johnstone.) He congratulated Her Majesty's Ministers on the fact, with regard to the Speech from the Throne, that in the paragraph referring to the Fenian conspiracy the words "this treasonable conspiracy, condemned alike by all creeds and by all parties," had not been put in Her Majesty's lips, as was the case in the Queen's Speech of last Session. We had not alone to deprecate violence and assassination in connection with Fenianism; but there was an undefined sense of alarm gradually spreading over the country as to what was the nature of Fenianism—what was its extent, and what was its object. At present we had had no explanation on those points, and without asking Her Majesty's Government whether they thought the conspiracy had been originated, sustained, and encouraged by Roman Catholic interests and by the Roman Catholic people, he would ask them whether they were prepared to say that it was not the necessary result of the teaching of that body? The hon. Member for North Warwickshire (Mr. Newdegate) and other hon. Members had frequently brought before the House the question regarding the disloyalty, treasonable principles, and disaffection, which was the chronic teaching of certain Roman Catholic schools. That teaching, he had reason to know, was carried on by some of the heads of that Church in the confessional, although he confessed he had no positive evidence of the fact. He maintained that Fenianism was the natural result of Roman Catholic teaching. As *The Times* truly said the other day, "It is quite clear that Fenianism is patted on the back and encouraged by the hierarchy of Rome." He implored the Government now at the beginning of the Session to take the necessary measures. The remedy was simple. It was to make known throughout the land the true nature of the doctrines which the Roman Catholic

Church taught under the name of religion. "The Wrongs of Ireland," like the "Wrongs of Poland," were in reality a phrase under cover of which means were sought and found to assert continually the supremacy of the Roman Catholic hierarchy.

Mr. CORRANCE said, he wished only to make a remark upon one paragraph of the Royal Speech—namely, that referring to the cattle plague in this country. It had been his good or evil fortune to press upon the Government the policy of enforcing certain measures in relation to various ports. One of those measures was the separation of the cattle markets, which he was glad to hear was to be established by a Bill to be submitted to Parliament. It was a matter of great satisfaction to all—both of those without, as well as those within that House—to hear that the cattle plague had ceased, and that the restrictions which had existed were to be taken off the home trade. It was, however, in his opinion, necessary that some provision should still be continued in regard to foreign cattle, because exactly in proportion to the liability, and means for the dissemination of the disease which the removal of internal restrictions would produce, so ought the greatest caution to be observed in order to guard against the danger of the admission of infected animals into the country. He doubted not that the Government would take warning from the past, and would introduce the necessary provisions for this purpose into their Bill, which he was much pleased to hear it was the intention of Her Majesty's Government to introduce.

Motion *agreed to.*

Committee *appointed*, to draw up an Address to be presented to Her Majesty upon the said Resolution:—Mr. Hart Dyke, Colonel Hogg, Mr. Chancellor of the Exchequer, Mr. Secretary Gathorne Hardy, Lord Stanley, Sir John Pakington, Sir Stafford Northcote, Mr. Corry, Lord John Manners, Earl of Mayo, Mr. Attorney General, Mr. Stephen Cave, Mr. Hunt, and Colonel Taylor, or any Five of them:—To withdraw immediately:—Queen's Speech *referred.*

House adjourned at a quarter
before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, November 20, 1867.

MINUTES.]—New Member Sworn—Matthew William Thompson, esquire, for Bradford.

Standing Committee—On Kitchen and Refreshment Rooms (House of Commons) *appointed.*

Public Bills — *Ordered* — Artizans' and Labourers' Dwellings.*

First Reading—Artizans' and Labourers' Dwellings* [1].

CATTLE PLAGUE.—QUESTION.

Mr. READ asked the Vice President of the Council, When the Bill for "relieving the Home Cattle Trade from vexatious restrictions and facilitating the introduction, under due regulations, of Foreign Cattle," will be introduced?

Lord ROBERT MONTAGU said, no time would be lost in bringing in the Bill, and in all probability it would be in the hands of hon. Members before the Christmas recess. There was one important point remaining under consideration.

ALLEGED SUBMERSION OF TORTOLA.

QUESTION.

Mr. C. FORSTER asked the Under Secretary for the Colonies, If he can give the House any fuller information relative to the alleged submergence of the island of Tortola, than appears in the morning papers?

Mr. ADDERLEY said, that no information had been received at the Colonial Office other than that which had appeared in the papers that morning, from which it was clear that the rumour about Tortola had been very much exaggerated. That some disaster had taken place at Tortola during the hurricane of the 29th of October there could be no doubt; but the telegram, which was very imperfect, stated that the disaster at Tortola arose from fire and not from submersion. The name of one family only was mentioned as having perished. The news came through the *New York Herald*, and through that channel alone. The information in the possession of the Colonial Office was dated the 19th November, from New York, and 18th, Havanna, being a telegram from the Consul there, the wire reaching to the other end of Cuba nearest Tortola. The first report was evidently immensely exaggerated, for the statement was that 10,000 inhabitants had perished, whereas there were only 3,000 inhabitants in the whole island, and only 6,000 in all our Virgin islands.

QUEEN'S SPEECH.
REPORT OF ADDRESS.

Report of Address *brought up*, and read.
On Motion, to agree to the Address,

ADMIRAL WALCOTT expressed his satisfaction at the course taken by the Government with reference to the Abyssinian captives. All measures of a conciliatory character having been exhausted, it became their duty, for the honour and prestige of the country, to use every other effort to rescue our countrymen from the terrible captivity in which they were detained. Our countrymen were not only imprisoned, but illused; and he felt sure that after the ignominious treatment to which they had been subjected no Englishman would hesitate to contribute his share towards the outlay requisite to enforce the claims not only of justice, but of humanity. This expedition he hoped and believed would be so conducted as to achieve the object with which it was undertaken, and in doing so would add another wreath to the chaplet of glory which the country had earned by the actions of the past.

MR. DARBY GRIFFITH said, the present occasion afforded an opportunity to hon. Members to make a few remarks of what might be termed a secondary character, without their being taken as hostile to the Government or to the Address. He had no desire to offer any observations on the general policy submitted in the Royal Speech. He had confidence in the great sagacity with which the noble Lord the Foreign Minister treated all subjects which came within his Department, and he might be said to have inaugurated a new era in the office over which he presided. In former years he (Mr. Darby Griffith) had had occasion to criticize and complain of the conduct of Ministers who had filled the office of Foreign Minister; but now he found himself joining with the House at large in praising the measures, and not less the manner, of the noble Lord, who seemed to lay aside entirely that frequent but most injurious feeling, the distinguishing characteristic of former statesmen, a perpetually irritable *amour-propre*. There could be no doubt that the foreign policy of this country had often been injuriously affected by the idiosyncrasies of particular Ministers; the noble Lord, on the other hand, put personal considerations completely aside, and walked by the clear light of reason and of duty. If anything could reconcile him to the Prerogative claimed for the Crown to declare war without the knowledge or consent of Parliament, it would be the fact that the advising of Her Majesty lay at present in such hands as he had described. But the time had come, he thought, to call attention to the false position in which they stood with reference to this branch of the Royal Prerogative. The theory and practice with regard to that Prerogative were most contradictory. Now Parliament found itself committed, without its opinion or assent being asked, to a war; for, once the honour of the Crown and the spirit of the country were committed to hostilities, it would be impossible to draw back, and millions might be expended before the undertaking could be brought to a successful termination. The Constitutional fiction was that Parliament, by refusing to vote supplies, might prevent the war. But they all knew that Lord Palmerston plunged the country into the Persian war at the end of a Session, before the House of Commons knew anything about it. The debate of the 20th of July might have had a conclusive effect on the mind of Her Majesty's Government; but when the noble Lord on that occasion gave a *resumé* of what had occurred with regard to Abyssinia, he (Mr. Darby Griffith) was under the impression that the noble Lord was combating the arguments on the other side, and had no idea he was giving them an intimation of what the result would be in the shape of any practical proceedings. Had it been known then that an expedition was contemplated much more interest would certainly have been taken in the debate; as it was, only one Member, he believed, ventured to say anything in deprecation of the warlike views adopted by the few Members who did speak. Hence, in the middle of August, the announcement came by surprise upon the country that active measures were about to be taken. The power of the House of Commons had been rendered greater and more conspicuous by recent changes, and he believed that one inevitable result of the altered situation must be to modify the prerogative of declaring war, if the future House of Commons, the Ministry, and the Crown were to work together harmoniously. The noble Lord certainly had never put forward the Prerogative of the Crown with the same confident assertion as previous Ministers; but the fact remained that, whatever the privilege, it was, in fact, exercised not by the Crown, but by the Minister. This they knew from certain interesting revelations of the present day. The doctrine and practice relative to the Prerogatives of the Crown required considerable modification. On the last occasion when they were called together in the autumn of 1858 the Government did it on their own responsibility, without any reference to the Prerogative of the Crown, and in doing so applied to Parliament for an indemnity; and although that was a financial matter, the principle applied equally to the case of war. In point of fact, especially when the occupant of the Throne belonged to the gentler sex, the Prerogative of the Crown was exercised, not by the Crown itself, but by the Minister or person in whom at the time confidence might be felt by Royalty, and the personal exercise of that function was a mere fiction. The Prerogative of the Crown might be made productive in other respects of abuses injurious to the Commonwealth. He alluded especially to the creation of dignities and rank. In the present day, unlike former times, few opportunities presented themselves in the military or naval profession of acquiring honours legitimately from the Crown. Hence, in the House of Commons there were always a number of candidates for honours, and it would be perceived what an undue and corrupting power that bestowed on any Minister. Within the period during which he had sat in Parliament as much had been done in the way of irregular, and not altogether creditable, creations as at any former period; and at this moment they were given to understand that an hon. Gentleman who had occupied a seat in Parliament for a very short period was about to have a dignity conferred upon him by the Crown because he made a vacancy for one of the leading officials. That he called a very injurious and discreditable exercise of the patronage of the Crown. He did not for a moment mean to say that any Member of the Government would deliberately have recourse to corrupt practices in the government of the country; but self-deception was a common failing, when the interests of a party were concerned, and it was necessary that every Minister should be careful how he exercised the Prerogative of the Crown, which cannot be said to exercise an individual selection. He hoped that for the future they would be able to come to a better consideration of the real principle of the responsibility of the Ministers to the country with regard to war. During the Government of Lord Palmerston and Lord John Russell there was a different, but very objectionable, exercise of Royal Prerogative. This consisted in a cession of territory made in a mere despatch written by the Foreign Minister during the autumn to some Governor in the Mediterranean. The Ionian Islands had been distinctly consigned to our care by the Treaties of 1815, and he objected to the mode and principle of that surrender, made without the knowledge or consent of Parliament by a mere stroke of the pen of an impulsive Minister, as highly injurious and improper. If the country to whom they were ceded had been capable of self-government there might have been some excuse for it; but it was quite notorious that the condition of the islands had retrograded considerably since they were transferred from England to Greece. It had seldom been his good fortune to be in accord with our Foreign Minister, and therefore it afforded him much pleasure in being able to concur in the general policy pursued by the noble Lord, and it was with great hesitation he ventured to express an opinion from which the noble Lord might differ; but, as regarded the Prerogative itself, he felt persuaded that the time must come when it would be less and less insisted upon, and would eventually assume some different shape.

Mr. WHALLEY agreed generally with the observations of the hon. Member for Devizes (Mr. Darby Griffith) with reference to the Prerogatives of the Crown. They were called upon from the terms of the Royal Speech to examine closely the explanation which was there given for the exercise of the Prerogative of the Crown in declaring war against Abyssinia; but the expedition was referred to in the Royal Speech in the most vague and unsatisfactory manner, and something more was required to satisfy the public mind. It stated that we have "no alternative but that of making a peremptory demand for the liberation of my subjects and of supporting it by an adequate force," and the only positive statement that was made was the assurance that the expedition was undertaken to effect the liberation of the captives and for that purpose alone. Nothing was more Quixotic than that we should send out such a force as we proposed to support a demand when that demand might have been made in the usual and ordinary manner. He therefore complained that a more specific statement had not been set forth in the Royal Speech, consistent with our interests and honour. If King Theodore was the man they were led to suppose he could easily put these unhappy captives to death, or have them carried away in the presence of all the armies of Europe. They might talk of honour and prestige, but they were mere words that signified nothing unless there was some substantial grievance at the bottom. Honour and prestige might be considered something in India, where the application of those words as now applied first rose; but they did not apply to King Theodore, who was not likely to declare war upon or invade us. It appeared to him that we ought to take possession of Massowah, or some portion of the Abyssinian territory; and, having placed our Consul there, make such military arrangements as would effectually protect him in the discharge of his functions. That was the way we had acted in India and in China. He did not think that the statements made in Her Majesty's Speech upon this subject were satisfactory. In the first place, to say that the Government had sent an army to Abyssinia for the purpose of liberating the British prisoners there was ridiculous. In the second place, it was inconsistent to confine the statement to that object alone, because it would appear that by doing so Her Majesty's Government were excluding themselves from the occupation of any of the Abyssinian territory under all circumstances.

MR. MAGUIRE said, he was surprised, and he deeply regretted, to see no notice nor reference made in Her Majesty's Speech to the condition of Ireland, or to the necessity for some remedial measures in respect of that country. He would, however, accept the assurance of the Chancellor of the Exchequer, when replying to the statement of the right hon. Gentleman the Member for South Lancashire last evening, that it must not be supposed because no reference had been made to such subjects in the Queen's Speech that the Government were therefore precluded from considering such measures during the Session next year. He relied upon that observation of the right hon. Gentleman that Her Majesty's Government would be induced to address themselves practically to the state of Ireland, with a view to beneficial legislation for that country. There was one matter now to which he wished to make a slight reference—he should not have alluded to it if it had not been made the subject of a distinct paragraph in Her Majesty's Speech—he meant that paragraph relating to the case of the unhappy men who were now lying under sentence of death in Manchester Gaol, and against whom there was an impression abroad that the extreme penalty of the law would be carried out. The subject was one of the most serious and of the gravest character, and he was fully alive to the responsibility he incurred in dealing with it. He thought it his duty to mention that that very morning he had seen a requisition to the Mayor of Cork, signed by forty or fifty of the leading men of that city, including magistrates and other gentlemen of high position, well known for their loyalty and respectability, calling upon that functionary to convene a public meeting for the purpose of having recorded the expression of their opinions that the sentence of death should not be carried out. As to the nature of the offence upon which the prisoners had been found guilty he should not offer any opinion, under the peculiar circumstances of the case. He would only simply say that even among the classes least likely to sympathize with Fenianism there was a strong feeling entertained largely and widely in Ireland, and he believed by a considerable portion of the people of England, that in the case of these men the extreme penalty of the law should not be inflicted. From his own knowledge he could state that that feeling was also entertained by Members of the House of Commons. The main reason for this feeling was that the evidence had broken down upon which they had been convicted. The facts were simply these:—Five men had been arraigned for the same offence, had been tried together, and had all been found guilty, and sentence of death had been solemnly passed against them. In a few days afterwards the Government saw fit to advise that the Prerogative of the Crown should be exercised in favour of one of these men to the extent of granting him a free and unconditional pardon, on the ground that the evidence had broken down—the same evidence precisely as that upon which the other four had been convicted. Under the circumstances, he should simply say that the prevailing sentiment of the country must be against the rigorous exercise of the power of the Crown against the four unhappy men, inasmuch as the evidence so impeached as against one of the convicted was equally applicable to the whole five of them, and broke down the public confidence in the general testimony by which they had been all found guilty. He ventured to submit that the Crown should not be actuated in their conduct by a feeling of irritation, arising from the indiscretion of persons in London, nor ought they attempt to support their dignity by an act of cruelty for the mere purpose of maintaining a character for firmness. The House would pardon him if he dealt with another subject referred to in the Royal Speech—namely, the temporal power of the Pope. His excuse for doing so was that he was a Catholic. He, for one, held that Her Majesty's Government had arrived at a correct decision in resolving not to meddle with that most intricate, complicated, and dangerous subject. He (Mr. Maguire) thought the question at issue was one which ought rather to be dealt with by the Catholic Powers exclusively. He feared that if the Government went into a Conference with the feelings displayed in this country during the last month or six weeks, their action would be hostile not only to the temporal power but to Catholicity itself. He did not blame this country for attempting to strike a blow at Catholicity; but he would tell them that it was beyond the ability of any country or any number of nations to destroy Catholicity. Even if they succeeded in driving the Pope from the Vatican, Catholicity would continue to increase and multiply. Throughout the great Republic of America, which he had recently visited, it was ramifying and acquiring greater strength and power in the hearts of the people; and every day greater numbers were giving their spiritual allegiance to the Holy Father. He must remark that the English Government—not the present Government—were answerable for much of the trouble by which the Sovereign Pontiff had been afflicted. In 1847 and 1848 they sent emissaries to Italy who had done much to bring about future complications. But who had come to the aid of the Pope? The child of the Revolution. France had come to terminate the short and unholy rule of the Triumvirate. Formerly the cry in this country was — "Why does not the Pope have an army of his own?" Well, he did get an army; and then the cry was changed to—"What does the head of the Church want with an army?" Was not the Queen the head of the Established Church of this country, and had Her Majesty not an army? It was impossible, circumscribed as his territories had been, that he could maintain an effective army of his own; but then the right hon. Gentleman the Member for Stroud (Mr. Horsman) had stigmatised the soldiers of the Pope as mercenaries. Did England disdain to employ mercenaries? Had we none in the Crimea? Were there no sad recollections in Ireland of the diabolical acts of our mercenaries during the Rebellion of 1798? Though many of the troops who served under the Papal standard were men of high birth, those soldiers, as a rule, could not afford to serve without pay; but the fact that they received pay made them no more mercenaries than were the soldiers who served in the army of the Queen. Among the troops of the Pope were to be found men of various nationalities; but they thought it an honour to serve the Pope, who was the spiritual chief of all Catholics, no matter of what country. It was admitted by every newspaper, from *The Times* downwards, that in the recent insurrection Garibaldi and his companions got no assistance from the Pope's own subjects, even though the former might have succeeded in levying money from some cowed municipalities. What was the extent of the Pope's dominions? The population was only 600,000, of whom nearly one-half were in Rome itself. Had the 250,000 inhabitants of Rome risen, or had they given any encouragement to the insurgents? No. On what ground should Rome be handed over to Italy? What had Italy done for Rome? Had the party who were now trying to obtain possession of that city contributed to invest it with those attractions for the antiquary, the lover of art, and the Christian, which brought to it visitors from all parts of the world? Nothing had been said in that House by way of condemnation of the fiendish act of mining with gunpowder a barrack occupied by Zouaves, and blowing into eternity a number of unarmed men. That had been done by the Italian revolutionists. It was now admitted that every Italian statesman who had been in office since the Convention between France and Italy had done everything to excite the party of action. There was no statesman who would not have condemned the Emperor of the French if he had not sent troops to Rome when that Convention had been so frequently violated. The Act of Union with Ireland, though carried by very questionable means, was nevertheless regarded by this country with such respect that it would not allow a word to be uttered against it. Why should not the Convention of September between France and Italy be viewed with the same respect? What had Italy to do with Rome, which for a part of the year was a very unhealthy city, while Florence, the present capital of Italy, was one of the healthiest and most beautiful cities in Europe? But supposing the Pope were driven from Rome, what could be done with him? It was impossible to do anything else with him than to place him again in Rome. Whatever might be said of France, he believed that the heart of the people of France was Catholic, and determined that the solemn compacts entered into by that Power should not be violated by treason or fraud of the other parties to them.

LORD STANLEY: Sir, I have already stated what the position of the Government is in regard to this question of the temporal power of the Pope; and therefore I do not think it will be necessary for me now to comment upon the speech of the hon. Gentleman who has just sat down. I only wish it to be understood that if I pass over that speech in silence, I do not thereby imply entire assent to the doctrines the hon. Member has laid down. Indeed, I think, in some respects, he answered his own argument, for he spoke of the increased and increasing power of the Roman Catholic Church in the United States. Well, I apprehend that there is no one in Italy—not even among those who are most adverse to the temporal power of the Pope—who would not be quite content if the Catholic Church occupied in Italy the position that it occupies in the United States. Then, again, the hon. Gentleman laid great stress upon the consent of the people of Rome with their present Government; but I did not hear him say that he, or those in whose interest he speaks, would be satisfied to refer the question whether the temporal power should continue, to the decision of that population. I agree, however, with the hon. Member in thinking that this is a question upon which we are not called to take a leading or active part. Referring to the observations of my hon. Friend the Member for Devizes (Mr. Darby Griffith), I am much obliged to him for the courtesy with which he has commented upon the foreign policy of the present Government. But considering the state of the House—considering that the Papers upon the subject of Abyssinia were only laid on the table last night, and that upon an early day next week the whole of that question must be gone into, I think I had better reserve until then the explanation of the course the Government have pursued. I will only remind the House now that when it was my duty to speak on that subject in July last, I left the Government entirely free and unfettered as to the course we should pursue — we did not pledge ourselves certainly to an expedition, neither did we pledge ourselves against one. I may also observe that a period of three or four weeks elapsed between the delivery of that speech and the time when the Government announced their intention to send an expedition to Abyssinia. I shall be quite prepared, when the subject is formally before the House, to explain what occurred in that interval to induce the Government to arrive at the decision to which they came. I can assure the House that if the circumstances and the time of year had rendered it possible, we should undoubtedly have felt it a great relief and a great advantage to have obtained the preliminary sanction of Parliament to the steps we were about to take. The objections which my hon. Friend raised to the Prerogative of the Crown are, in fact, not objections to the conduct of this or any other Ministry, but to the form of the Government under which we live. All, therefore, I can say upon that is, we did not make the Constitution. We have simply accepted it, and acted upon it, within the limits which it prescribes. With regard to the speech of the hon. Member for Peterborough (Mr. Whalley), I shall only point out that he began by objecting very strongly to our sending any expedition with a view of rescuing those unfortunate persons, and concluded by suggesting that we might take a course which would be infinitely more embarrassing in the future, and might lead to infinitely more serious consequences than that which was proposed. The hon. Member suggested that we should annex a portion of Abyssinia. I shall state, on the proper occasion, what the Government are prepared to do; but this I will now say, that we shall not take the course suggested by the hon. Member.

MR. WHALLEY explained that he only urged that we should occupy a portion of territory sufficient to enable our Consul in Abyssinia to maintain an independent position.

Address *agreed to;* to be *presented* by Privy Councillors.

QUEEN'S SPEECH to be *considered* To-morrow.

ARTIZANS' AND LABOURERS' DWELLINGS BILL.

On Motion of Mr. M'CULLAGH TORRENS, Bill to provide better Dwellings for Artizans and Labourers, *ordered* to be brought in by Mr. M'CULLAGH TORRENS, Mr. KINNAIRD, and Mr. LOCKE.

Bill *presented,* and read the first time. [Bill 1.]

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Standing Committee *appointed,* "to control the arrangements of the Kitchen and Refreshment Rooms, in the department of the Serjeant-at-Arms attending this House:" — Colonel FRENCH, Lord ROBERT MONTAGU, Mr. DALGLISH, Mr. ONSLOW, Mr. ADAM, General DUNNE, Mr. Alderman LAWRENCE, Mr. ROBERTSON, and Captain Vivian:—Three to be the quorum.

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Thursday, November 21, 1867.

HER MAJESTY'S ANSWER TO THE ADDRESS.

HER MAJESTY'S Answer to the Address *reported* as follows:—

"*My Lords,*

"I THANK you for your loyal and dutiful Address.

"I AM confident that I shall receive your cordial Assistance and Support in all Measures which I may consider calculated to maintain the Honour of My Crown, and to promote the Happiness and Prosperity of My People."

House adjourned at a quarter past Five o'clock, till To-morrow, a quarter before Five o'clock.

Lord Stanley

HOUSE OF COMMONS,

Thursday, November 21, 1867.

MINUTES.]—SELECT COMMITTEE—On Printing *appointed.*

PUBLIC BILL — *Ordered* — Metropolitan Streets Act (1867) Amendment.

First Reading—Metropolitan Streets Act (1867) Amendment [2].

CONSUL CAMERON.—QUESTION.

COLONEL SYKES, who had given notice to ask the Secretary of State for War, Whether Consul Cameron holds a Commission in Her Majesty's Army at present; and, whether he formerly held a Commission; and, if so, what were the alleged reasons for his retirement? said, he wished to say a word in explanation of his Question. On looking at the blue book, he found that Mr. Cameron was sometimes addressed as Consul and sometimes as Captain Cameron. He would simply ask, whether Consul Cameron held a Commission in Her Majesty's Army?

SIR JOHN PAKINGTON: The hon. and gallant Gentleman placed on the Paper a Question of a rather more extended character than that which he has just asked; but I hope that, in justice to Consul Cameron, I may be allowed to answer the Question as it stands on the Paper. Consul Cameron does not now hold a Commission in Her Majesty's Army. He did so formerly—namely, from 1846 to 1851. He was then an ensign in the 45th Regiment; but in 1851 he sold out in consequence of his being unable to obtain promotion under the purchase system. He then settled in the Colony of Natal, and served in command of an irregular force during the Kaffir War. For his services at that period he received the war medal. Subsequently he served under Sir William Fenwick Williams, before and after the siege of Kars. During that time he held the local rank of captain. I have seen a certificate from Sir Fenwick Williams relating to Consul Cameron's military services at that period, and in it his gallantry and ability are spoken of in the highest terms.

COLONEL SYKES said, he was glad the right hon. Baronet had answered the latter part of the Question as it stood on the Paper. He had not put it, because he had been requested not to do so.

CATTLE PLAGUE.—QUESTION.

MR. HODGKINSON asked the Vice President of the Council, Whether, as the Order in Council of the 23rd day of October last has abolished all restrictions as to the movement of Cattle to and from Markets which are open under Licences from the Privy Council, any and, if so, what objection exists to allowing, with the same absence of restrictions, the sale of Cattle at Fairs legally and customarily held in those towns where such licensed Markets are held?

LORD ROBERT MONTAGU: There is no objection to the licensing of sales of cattle on regular fair days. Fairs are prohibited by the Consolidated Cattle Plague Order, and there is no provision for licensing them; but the sales licence which is always granted unless there are some special objections, answers the purpose exactly, the non-licensing of fairs being merely technical.

MR. HODGKINSON asked if he was to understand that cattle could be sent to fairs without passes?

LORD ROBERT MONTAGU said, that the rule was the same as with regard to sales. Cattle could be sent for sale at present without passes.

NAVIGATION OF THE THAMES—THE MAIN DRAINAGE OUTFALL.

QUESTION.

MR. CRAWFORD asked the Vice President of the Board of Trade, Whether it is true that the Navigation of the River Thames is in danger of being obstructed by the formation of mud banks near the outfall of the Main Drainage Sewers at Crossness and Barking Reach?

MR. STEPHEN CAVE: Early in the summer a vessel grounded in Barking Reach at a time of the tide when there ought to have been sufficient water to float her. A survey was ordered by the Conservancy Board, the Report of which, presented on the 10th of June, states that there were large accumulations of mud, in some places to the depth of six feet, off the Main Drainage outfall. Some of this mud was sent to Dr. Letheby, and an analysis made by him, the Report of which is dated the 24th of June, left no doubt in his mind of its being composed in a great degree of sewage in a state of decomposition. On the 25th of June a communication was made by the Conservancy Board to the Metropolitan Board of Works; to which a reply was sent on the 11th of November, stating that the Board had acted in obedience to Acts of Parliament, and that it was the duty of the Conservancy Board to remove shoals. The Conservators will have before them a report from their engineer on the best mode of doing this on Monday next, and will proceed at once to act upon it. There is therefore no danger of the navigation of the Thames being obstructed. I have received copies of a minute of the Metropolitan Board of Works questioning the alleged origin of the shoal and their liability to remove it, also of a report from their engineer admitting that the question is a complicated one, and recommending a conference with the Conservancy Board for the purpose of discussing the whole subject.

MR. CRAWFORD asked, whether there would be any objection to produce the Papers to which the right hon. Gentleman had referred?

MR. STEPHEN CAVE replied, that as far as he knew, there would be no objection whatever to produce them.

ABYSSINIA—TELEGRAPHIC COMMUNICATION WITH THE EXPEDITIONARY FORCE.—QUESTION.

MR. CRAWFORD asked the Secretary of State for India, Whether any arrangements are being made for connecting by Telegraph the port of disembarkation of the expeditionary force on the coast of Abyssinia with the ports of Suez and Aden?

SIR STAFFORD NORTHCOTE: I am not aware that any arrangements such as those referred to by the hon. Gentleman are in progress. A proposal was made to the Government on the part of the Telegraphic Construction and Maintenance Company which I found it impossible to entertain. I, however, informed the Company that if they thought fit to lay down a line of telegraph along the Red Sea the Government would make arrangements for its temporary diversion to the port of landing; but I have no reason to think that my proposition will be accepted.

ARMY—STAFF APPOINTMENTS.

QUESTION.

SIR PATRICK O'BRIEN asked the Secretary of State for War, When the Returns relative to Staff appointments, ordered in June last, will be laid upon the Table?

Sir JOHN PAKINGTON said, that the Returns were ready and would be laid upon the table in a few days.

CASE OF THE CONVICT MAGUIRE.

QUESTION.

Mr. WATKIN said, the House were aware that Thomas Maguire, the Marine, who had been convicted at the recent special commission in Manchester, and sentenced to death, had since received an unconditional pardon. It appeared, however, that Maguire had been discharged from the service. He wished to ask the Home Secretary, Whether he was prepared to recommend that he be restored?

Mr. GATHORNE HARDY: If the hon. Member puts the Question to-morrow I will answer it.

Mr. CORRY: Perhaps the House will allow me to state that Maguire has been restored to the service.

SUPPLY—QUEEN'S SPEECH.

Queen's Speech *considered.*

Motion, "That a Supply be granted to Her Majesty:" Committee thereupon *To-morrow.*

METROPOLITAN STREETS ACT (1867) AMENDMENT BILL.

LEAVE. FIRST READING.

Mr. GATHORNE HARDY: The House is aware that at a very late period of last Session a Bill was passed for regulating the traffic of the metropolis. I am informed that the clause in that Act having reference to persons placing goods on the pavement would, if carried out in strictness, do great injury to a large number of industrious people who earn their livelihood in that manner. I have now to ask leave to bring in an Amendment Bill. It is a very short one; but it contains a clause which provides that the prohibition as to the exposing of goods for sale in the manner I have stated shall not apply to costermongers, street hawkers, and other itinerant hawkers, so long as they carry on their trade in conformity with regulations to be made from time to time by the Commissioners of Police. The right hon. Gentleman then moved for leave to bring in the Bill.

Mr. AYRTON said, he should have been glad if the right hon. Gentleman had given the House a little more explanation on the subject, because there were different versions in the newspapers of some observation made by the right hon. Gentleman to a deputation that had waited on him some time since; but the general effect of the reports seemed to imply that in respect of the portion of the Bill of last Session which it was now sought to repeal there had been considerable negligence on the part of the metropolitan Members. There never had been a more unfounded suggestion than that put forward as having been made by the right hon. Gentleman. As the versions of what had occurred while the right hon. Gentleman was receiving the deputation were very various, perhaps an improper use had been made of his name. The Bill it was now sought to amend was brought into the other House early last Session; and on its coming down to that House, he (Mr. Ayrton) suggested that it should be sent for consideration to the Committee then investigating the subject of the Local Government of the Metropolis. The Bill, however, was kept before the House, though nothing was done with it till the 14th of August, when it was read a second time. The next day it was considered in Committee, and on the third day it was passed. If therefore there was anything wrong, it was due entirely to the manner in which it was carried through the House by the Government. With regard to the particular clause referred to, it should be borne in mind that at the time the House went into Committee on the Bill the public had not been allowed the usual opportunity of expressing their opinion respecting the details, and consequently hon. Members had not the usual means of ascertaining which were regarded as objectionable; but he might remind the House that the clause now proposed to be amended was still more objectionable in its original form. It proposed to sweep away all the rights of individuals over open spaces in front of houses in the metropolis. He called the attention of the right hon. Gentleman (Mr. Gathorne Hardy) to the wording of that clause, and the result was that it was put into its present shape. The right hon. Gentleman himself undertook to introduce the necessary Amendments, and of course the House was obliged at that late period of the Session to accept the Bill as it was placed before them—especially as there was but a scanty attendance of Members, and the majority were on the Treasury Bench. Now, he should like to ask the right hon. Gentleman whether he really proposed to amend the objectionable clauses by taking away any rights possessed by individuals over the land in front of their houses—or, in other words, whether the right to use such property was to be taken from the persons who paid rates and taxes for the maintenance of the roads, and transferred to a class of people whose only claim to the use of such property was that they paid no rates and taxes at all. Before the Bill was brought forward for the second reading the right hon. Gentleman ought to maturely consider what he proposed to do. If the existing clause were unjust to the costermongers and street hawkers, that proposed to be substituted for it might be equally unjust to persons who had land in front of their houses. It would, in his opinion, be impossible for the House to pass a Bill conferring on the police authorities the right of dealing with property of that kind. He trusted it would be found upon examination that the Bill was not of the nature suggested by the remarks of the right hon. Gentleman.

SIR GEORGE BOWYER said, it appeared to him from what the right hon. Gentleman had said, that the Bill proposed to place an unlimited power in the hands of the police for making regulations affecting the trade of persons who sold articles in the streets. He hoped, however, the right hon. Gentleman would re-consider that point, because he (Sir George Bowyer) considered it was too large a power to be vested in the police or any one else, seeing that it affected the very existence of a very large class of people. The police regulations might be quite as injurious to these poor men as the clause to which objection was now made. Unless the Bill contained some limitation, he should certainly feel it his duty to move a clause to render the Commissioners of the Police responsible for what they did, and to prevent their wielding the powers they possessed over the street traders in an arbitrary manner. He wished also to point out that it would be exceedingly objectionable to give to the Commissioners of Police any power in the City of London. The privileges of the City would, he trusted, be treated with due consideration by his right hon. Friend; but if they were not, he should bring the matter under the consideration of the House, unless representatives of the City deemed it their duty to do so.

MR. ALDERMAN LAWRENCE said, it was satisfactory to find that the Home Secretary had taken the earliest opportunity of introducing an amendment of the Act of last Session, with the view of remedying a great injustice which would otherwise be inflicted by the operation of the Act on a number of deserving poor; but he thought that a portion of Clause 6 also required amendment. That clause provided that when spaces between the footway and the carriage-way were by prescription or otherwise used for exposing articles for sale, such spaces should after a certain period be deemed to be a part of the footway unless they were enclosed by barriers. Now, the right hon. Gentleman might not be aware that in various parts of the metropolis so much alarm had been felt in respect of this clause, that since the passing of the Act the spaces intervening between the footway and the road, over which the public had a limited right of way, had been enclosed by rails. This process had been going on because the owners of those spaces of ground feared that they would otherwise be brought under the operation of the Act. This subject ought to be re-considered, and he hoped that the Amendment Bill would not be passed through that House as hurriedly as the original Bill was, but that time and opportunity would be afforded of remedying many defects of the present Act. For instance, the case of the cabdrivers and cab proprietors ought to be taken into consideration. A very heavy penalty was inflicted on them by the Act, which compelled them to provide lamps for their vehicles. There were 7,000 cabs in London. If each four-wheel cab were to be furnished with two lamps, the annual cost would be £7 for each cab; while the total cost to the proprietors was estimated at between £25,000 and £50,000 a year. ["Oh!"] At all events, the cost would be very great, and it would fall upon a class of persons who even now were scarcely able to exist in consequence of the heavy tax imposed upon them; for it could not be too frequently repeated that each cab had to pay a duty of £19 5*s.* per annum, besides which every cabman had to pay 5*s.* per annum for his badge. Though the tax upon omnibuses had been reduced, no attempt had been made to lighten the burden borne by the owners of cabs. A letter had recently appeared in *The Times* written by Mr. Haddan, the late Superintendent of the Hackney Carriage Department of the Metropolitan Police, stating that it was impossible for the cabdrivers to earn sufficient to keep themselves unless they obtained from the public sums in excess of the legal fare. This was a most unsatisfactory state of things, and he hoped, under the circumstances, that the right hon. Gentleman would take an early opportunity of repealing the clauses relating to the cab proprietors, and of introducing a measure consolidating all the Acts — six in number — containing 272 clauses relating to hackney carriages in the metropolis. The duty on cabs ought also to be reduced, in order to enable Londoners to obtain a supply of hackney carriages equal in point of comfort and accommodation to those of Cheltenham, Leamington, Birmingham, and various other towns. London was the worst supplied, because Government had taken the matter entirely into its own hands, whereas in the provinces the regulations were made by the municipal authorities. He thought this was a very good opportunity of amending the laws relating to cabs in the metropolis, and he hoped advantage would be taken of it. He hoped this would be a lesson to all future Secretaries of State that the House of Lords was not the proper place to initiate legislation for the traffic and commerce of the metropolis.

Mr. LOCKE said, he hoped the present opportunity would not be lost of settling several questions with regard to the street traffic of the metropolis, because it was quite obvious that the cab proprietors and the costermongers were not the only persons dissatisfied with the Act. Great complaints were made on all sides respecting the enactments in the present Act of Parliament; and numbers complained that they had never had an opportunity of stating their views on the subject, or of showing the grievances they were likely to endure under the Act, before a proper tribunal. They objected, and properly, to legislation affecting their interests being based merely on the recommendations of a Select Committee of the House of Lords, and passed into law without having been submitted to a Select Committee of the House of Commons. It was suggested last Session by many Members that the measure should be sent to a Select Committee of that House; but their advice was neglected, and the consequence was that the Act was not merely objectionable to the classes referred to, but also to other parties who claimed to be heard before a Committee of the House of Commons. Sir Richard Mayne had not attempted to put the Act in force, because he knew it would be impossible to do so without raising a storm about his ears that would put him in a position that would not be at all enviable. Therefore, the Act had been a dead letter up to that moment; and was that, he asked, a satisfactory state of things? He suggested that the Government should consent that the provisions of the Act should not be enforced, and that another Bill should be brought in and submitted to a Committee of that House; and that not only the alteration suggested by his right hon. Friend should be made, but that a Committee of the House of Commons should have an opportunity of considering what other alterations were necessary in other parts of the Act.

Mr. GATHORNE HARDY said, in reference to what had fallen from the hon. and learned Member for the Tower Hamlets, that he was quite willing to bear his share of the blame of passing the Act in its present shape. It was a Bill of the last Government, taken up by the present Government. It was before the House for a considerable time, and at one time he thought there would be no opportunity of passing it. A great many Members were anxious it should pass, and in consequence of their wishes he went on with it, and it ultimately passed that House very much in the shape it came down from the House of Lords. The hon. and learned Member for the Tower Hamlets did not take up the cause of the costermongers, who, in fact, were very probably ignorant of the provisions of the Bill until it was passed. The hon. and learned Member for Southwark wished to refer the whole subject to a Select Committee; but he (Mr. G. Hardy) could only say that if this Bill were so referred, the grievance of the costermongers was not likely to be remedied in the present short Session. It was important that a discretion which did not now exist should be given to the police, and for this reason he had brought in a short Bill to remedy a pressing grievance, leaving other matters to be dealt with by a Committee if the House thought fit to appoint one. As to the statements of the cab proprietors, he was not prepared to assent to them in all respects. They might have grievances, but what they asked for was a consolidation of the law, and it would be hopeless to deal with that now. The question of the cabs was one of considerable difficulty.

They complained that there was a great pressure of taxation upon them ; but with regard to the lamps, it should be remembered that the Hansom cabs in almost every instance had lamps until, he believed, a law was made to compel them, when they took them all away because they said they objected to compulsory powers. He was told with regard to the four-wheel cabs that it was not necessary that they should carry more lamps than the Hansoms, but that one could be placed in front of the driver on the splash-board, and therefore the large expenditure complained of need not be incurred. He believed that it would be of great advantage to the cab proprietors themselves that their vehicles should have lamps, inasmuch as the cabs might then be seen and hailed from a much greater distance than cabs which had no lamps. The objections of the cab proprietors did not seem to be well supported by the deputation which had waited on him. One proprietor said, "If we do run over any persons we only bruise them a little ; we don't kill them as the heavier carriages do ;" and that seemed to be the main excuse for not carrying lamps. However, the Bill which he now asked leave to introduce dealt only with a particular grievance. He would lay it on the table and leave the House to deal with it.

MR. ALDERMAN LUSK observed, that the streets of the metropolis were said to be disgracefully managed, and were a disgrace to our civilization ; when, however, a remedy was attempted objections were at once taken to it. It was clear that a city of 3,000,000 of inhabitants required street regulations. Many of the clauses of the Bill were exceedingly useful, and he hoped that the House would hesitate before altering them.

Motion *agreed to.*

Bill for the amendment of the Metropolitan Streets Act (1867), *ordered* to be brought in by Mr. Secretary GATHORNE HARDY and Sir JAMES FERGUSSON.

Bill *presented,* and read the first time. [Bill 2.]

FENIAN CONVICTS AT MANCHESTER.

OBSERVATIONS.

MR. MAGUIRE respectfully begged the attention of the House for a very few minutes to a most important question. To put himself in order he would conclude with a Motion. Unless some steps were taken, we were within a very short time of hearing of a very solemn and a very terrible tragedy, and the question was whether the Government of England would allow that tragedy to be performed in the eyes of the world—whether they would go on, or whether they would pause. Into the merits of the question—the morality of the question he would not enter—were he to do so he might injure the cause of those on whose behalf he had risen to speak. A significant answer, however, had just been given by a Member of the Government. Of the five men who were tried and sentenced to death at Manchester, not only had one received a free pardon, but he had been restored to Her Majesty's service. The others were to stand upon the scaffold, and the rope might have been fastened round their necks by the evidence of some of the very people who swore against the man just taken back into the Queen's service without a stain upon his character. What had been done at Manchester? Five men were tried, convicted, and sentenced to death. Five others were tried, but the evidence on that trial was so riddled and damaged that the prisoners were acquitted. Another batch of prisoners was then arraigned for the same offence; but the legal representatives of the Crown found that the evidence had been so discredited on the trial of the second batch that they would not proceed, and entered a *nolle prosequi.* Under those circumstances, would it not be well for the Government to pause and consider whether the law of England was such as had been stated by the advocates of these men, or whether it had been correctly laid down by the Judges who tried them? These Judges might be very eminent in their profession, but they were not infallible. Now if, as he understood, a great many eminent men in Westminster Hall agreed in opinion with the counsel for the prisoners, before the Government should do what was irrevocable they ought to have the case solemnly submitted to the adjudication of all the Judges of England. He would say nothing as to the merits of the question, because, in his opinion, the man who should do so would act most indiscreetly ; but here the advocates of the condemned men put forward a certain legal proposition. They said that it was the law of England that if a man be arrested without a warrant, or upon an informal warrant, he might resist to the death ; and if strangers interfered to rescue him, and one of the captors was killed, the offence was not murder, but manslaughter. That opinion rested on a decision of the twelve Judges in the case of Tooley, tried more than 150 years ago, the decision being arrived at by a majority of seven Judges to five, and it had never since been reversed—on the contrary, there had been many instances in which that decision had been fortified by the judgment of other Judges. To his own knowledge there were many able and learned men at the Bar who held that this was a question of the greatest gravity, and one which was worthy of having a solemn adjudication pronounced upon it. What did Mr. Justice Blackburn do? When the point was raised, he said he would put it to the jury whether there was a warrant, or whether the warrant was imperfect; but he never did, until the point was raised again on the third trial, when the Attorney General was so conscious of the worthlessness of the evidence which had broken down on the second trial that he entered a *nolle prosequi.* It was then that the Judge said—

> "Will you allow me to put this point, which was raised on the first issue? Will you allow me to put it to this Jury, which has no issue before it?"

Now, in the name of all that was just, he would ask the Government not to perpetrate a legal murder. He begged to move the adjournment of the House.

Sir PATRICK O'BRIEN, in seconding the Motion, said, he was certain there was not a Member of that House who did not recognise the deep solemnity of the occasion and account it one which demanded at the hands of the Government the very gravest deliberation; and it was in that spirit that he ventured to rise and add his humble voice to what had been urged by his hon. Friend, who had alluded to the circumstances of a trial of great moment, decided by Lord Chief Justice Holt a hundred years ago, and which was stated to have a direct bearing on the fate of the unhappy men whose case they were then considering. He (Sir Patrick O'Brien) believed that all the learned gentlemen who defended the prisoners had pledged their professional character to the statement which they had embodied in a paper, which they had addressed to the Judges who tried the case; and that these Judges, sitting, not in open Court, but as it was technically called, *in camera,* had unfortunately arrived at the conclusion that this grave question was not one to be reserved for future consideration. He believed that the Judges were not in the habit of depending on their individual judgment in important cases, but that, on the contrary, they were in the habit of seeking the assistance of their brother Judges; and he would ask the right hon. Gentleman to state whether this had been done in the present case; and, if so, whether the Judges were unanimously of the opinion that the case ought not to receive a further consideration—for if only one of the Judges entertained a doubt, he thought a case was made out for a solemn re-consideration of the case. If such were the facts, he hoped the public would be informed that full justice would be done in the case. Not only the people of Manchester, of London, and of England, but the people of Europe, and of all civilized countries, were looking with the deepest interest to see what would be the course taken by the Government of a country—which had ever prided itself on its strictly merciful and impartial administration of justice — in connection with these men.

Mr. FAWCETT said, that nothing but a sense of the great responsibility which lay upon Members of that House could induce him to say a word on this subject; but he felt that they were on the eve of a very great crisis. He was not going to express any decided opinion on the subject. He fully recognised the difficulty in which the Government were placed; they had a fearful responsibility upon them, and he would be the last person to say a single word which could in the slightest degree tend to increase that difficulty. Without uttering one word of sympathy with Fenianism—for he looked upon it as a foolish, and therefore as a wicked conspiracy—he had no hesitation in saying that if the four men who were now condemned to death should be hanged in Manchester on Saturday morning, that event would send a thrill of horror into the hearts of thousands in this country. Now, he wished to ask the Government whether there were not some grounds which might induce them to exercise the prerogative of mercy? He would not say a word to palliate the offence which these men had committed. If he were to do so, he should commit a mistake as great as if he should apply to it language of unnecessary harshness. But what he felt was this—that, owing to an unfortunate mistake — for it was a grave mistake, and one fruitful in serious consequences — one man who had been convicted and condemned to death had immediately afterwards obtained a full pardon, and thus an air of uncertainty was thrown over the trial. That circumstance had produced an impression upon the public mind; and when they considered how much that impression would be deepened if the four men were executed, he thought it would be seen that there were some grounds for the exercise of the prerogative of mercy. There were two elements in the case which undoubtedly, whether rightly or not, would excite popular sympathy on behalf of the criminals. If the man who fired the fatal shot were hung, there were three others who did not fire the fatal shot. There would therefore be a difference, though not a legal one, in the public mind between the case of Allen and that of the three others. He had come up to London for the purpose of asking several hon. Members of that House—he did not wish to conceal it—to sign a memorial to the Home Secretary on behalf of the condemned Fenians. More than one hon. Member of great experience and judgment had told him that they would willingly have signed the memorial, but for the unseemly and disgraceful scene enacted at the Home Office. Now nobody regretted that scene more than he did. It was most unfortunate, and he thought, perhaps, too strong an epithet could not be applied to it; but he implored the Government not to let that scene in the slightest degree affect their determination. Even if they thought there was no ground for the exercise of the prerogative of mercy, let them give an assurance to the country that their decision had not been at all swayed by the unseemly behaviour of fifty men, who, although excited, could not be excused. Let them at least be able to show that they had not been influenced in the most remote degree by the violent language that had been used and the threats that had been uttered in a time of much popular excitement. This was a question involving important considerations of policy, and for his own part he believed a strong Government exhibited its strength and proved its confidence in it by exercising mercy. For 400 years we had endeavoured to show our power in Ireland by exercising rigour, and that rigorous policy had cast a blot upon the reigns of some of our greatest monarchs. Let us on this occasion exercise mercy, and while firm in our policy, let us be determined to do all we could to ameliorate some of the wrongs under which Ireland suffered. Let not the Government be afraid of the reproach that they had given way to a popular cry, for he believed they would really show their power by exercising the sacred prerogative of mercy. He had never felt more strongly in his life than on this subject. Indeed, it had made him quite miserable to think of what was about to be done. He firmly believed that if the Government saw fit to exercise mercy, future generations would regard them as having done perhaps more than any Government had ever done before to win the hearts of the Irish people.

SIR GEORGE BOWYER said, he rose for the purpose of making only one observation, which was that the United Kingdom was the only country in the civilized world where the right of appeal in criminal cases did not exist. This country was the only one in the world where a man condemned to death, or to any other punishment, could not have an appeal to the highest tribunal of the land. In civil cases, where the smallest sums of money were in dispute, a man could, after the verdict of a jury was given against him, carry the case from court to court until he reached the supreme tribunal, no matter whether he had valid grounds for doing so or not; and it was a disgrace to this country that in the case of life and death no such appeal could be even upon legal points raised at the trial, unless leave were given by the Judge who tried the prisoner, and who possibly had formed a strong opinion against him. Let them apply the principle of appeal to all cases. In this one there were four men under sentence of death in whose favour a point of law had been raised. He had the highest possible respect for Mr. Justice Blackburn and Mr. Justice Mellor, who were Judges worthy of the high position they occupied; but all he could say was, that the point of law being raised, there were two opinions on the subject. The counsel for the prisoners were confident that the point of law they had raised would reduce the offence from murder to manslaughter, and therefore thought that the lives of the offenders ought not to be sacrificed. Other lawyers held the same opinion. The Judges differed from them; but still the fact remained that a point of law had been raised in favour of these men, which it was surely desirable should be settled before their death would render it useless to settle it so far as they were concerned. This was a most solemn question, and he certainly thought that the circumstances were quite sufficient to justify Her Majesty's Government in suspending the execution of the men until this point of law was argued and decided, and it was fairly shown that the prisoners had forfeited their lives to the country, which could only be decided by the Judges of the Exchequer Chamber. He did not think that there could be two opinions upon the subject, that, notwithstanding the theory of the law, the right of appeal ought to be admitted in this case. He hoped the Home Secretary and the Attorney General, whom he was glad to see in his place, would be influenced by these considerations.

Mr. Serjeant GASELEE said, that he was not going to follow the hon. Member for Brighton (Mr. Fawcett) in the view he took of the case, differing as he did from almost every sentence that he had uttered, nor was he prepared to take upon himself the responsibility of recommending to the Government to exercise or withhold the exercise of the prerogative of mercy; but the purpose for which he rose was to express his opinion that it was of the utmost importance that in such circumstances as the present the utmost caution and deliberation should be used. He would not presume to address the House on the point of law; but he wished to put it as strongly to the Government as he could, that in this case, where there was the point of law involved in the first trial, it was not until the third trial took place that the Judge left the question about the legality of the warrant to the jury; therefore he did not think that the country would be satisfied until the question had been submitted to the whole of the Judges, and had been decided by them. Any difficulty he previously felt was increased by the publication of the correspondence between Mr. Justice Blackburn and the prisoners' counsel. The learned Judge stated that he had consulted other Judges; but he went on to say that although that judgment had satisfied him that he had come to a right conclusion, the responsibility rested with him and not with them. Therefore he had only consulted them extra-judicially. An extra-judicial opinion of this kind, asked for by a Judge who was firm—perhaps too firm—in his opinion was not satisfactory; and he thought the country would not be satisfied until the Judges had given a judicial and deliberate opinion in the case. There were few, he believed, who would extenuate the crime that had been committed; but the greater the crime and the greater the excitement to which it had given rise, the greater was the care that should be exercised. Therefore he ventured to ask that for a few days only the sentence should be respited, until the opinion of the Judges, who were all now in town, was taken. It certainly appeared to him to be a blot upon our judicial system that there should be no right of appeal in criminal cases, and that it should be made to depend upon the Judge whether a point of law raised in a prisoner's favour should be permitted to be brought before a Court of Review or not. He had had some experience in criminal trials, having twice travelled the Circuit for Her Majesty's Judges, and he said unhesitatingly that in a case like this he would not take upon himself the responsibility of deciding on the fate of these prisoners without having the assistance of the Judges. He therefore most respectfully implored his right hon. Friend to suspend the execution of the sentence for a few days, and he believed that if the Judges once decided the point, not a voice would be raised against the Government in the exercise of their discretion as to the fate of these men; but if they were executed merely on the opinion of the two Judges alone who tried them that this point should not be heard in their favour, great dissatisfaction would, he feared, be felt even among men who abhorred Fenianism as much as anybody could.

Sir COLMAN O'LOGHLEN rose to join with other hon. Members in their appeal that the execution of these convicts should be postponed until the question of law raised in their favour was decided by the Court of Criminal Appeal. He must say that he very much regretted that Mr. Justice Blackburn had not thought fit to reserve the point submitted to him; at the same time, he was perfectly aware that it was in his discretion alone to do so. He agreed with the hon. and learned Member for Dundalk (Sir George Bowyer) that it was a serious blot in our judicial system that, while appeals were allowed in the most trivial cases affecting the rights of property, they were not allowed, except in some cases, by consent of the Judge, and, in other cases, with the *fiat* of the Attorney General. He would not express any opinion whether the point raised was a sound one or not; but every one must admit that it was a question of the highest gravity, worthy the consideration of the highest tribunal in the land, and if the Judges should decide against it, the unfortunate convicts would suffer their sentence with much greater satisfaction to the public than if they were hurried into eternity without such a decision. The House would remember that in the case of Charlotte Winsor, though the crime of which she had been convicted was a most atrocious one, the late Law Officers of the Crown granted their *fiat* for a point of law being argued before the Court of Queen's Bench. The case was then allowed to go to a Court of Error, which affirmed the decision, and the public mind was satisfied. He therefore thought that his hon. Friend the Member for Cork (Mr. Maguire) was quite justified by the correspondence which had been published in bringing the matter before the attention of the House. There was no difficulty in dealing with this matter. Within a week or ten days the Judges could be summoned and give their decision upon the point. It was not too late for Mr. Justice Blackburn to reserve the points yet, and no doubt he would do so if the Home Secretary expressed a wish that it should be done. He had addressed himself to the question entirely in its legal aspect, and he did not think, as a lawyer, he should have been performing his duty if he had not expressed his sentiments on this occasion.

MR. BAGWELL trusted that the Government would listen with attention to the representations now made to them. Undoubtedly, these men had been found guilty of the offence of which they were charged, nor could he deny the existence of a dangerous conspiracy; but as the legal point had been raised, in what a position would the two learned Judges who tried the case and Her Majesty's Government be, if these men should be executed, and it should turn out afterwards that the point raised did change the character of the offence, and how greatly it would aggravate the disaffection in Ireland. He was sorry that it had been necessary to bring this question before the House. He was quite sure that the Government were anxious to show mercy to these men, if it could be shown consistently with safety to the State. The people of England had not suffered anything like so much from Fenianism as the loyal portion of the Irish people had, and no one was more anxious than he to see it put down; but he implored the Government not to be steeled by popular clamour, being convinced that if it was considered expedient that these convicts should undergo the full sentence of the law, the people would be much better satisfied that execution should be delayed until after the Judges had given a judicial opinion upon the point which had been raised. If it were decided by the Judges that the sentence must be legally carried out, it would then be time for those who had a feeling against capital punishment in such a case to come forward and urge the Government to spare the lives of these men.

MR. REARDEN thought that the Government would do a wise act in referring this question to the Judges. It could do no harm, the minds of the people of England would be set at rest by their decision, and possibly a miscarriage of justice might be prevented.

MR. GATHORNE HARDY: I will not conceal from the House the painful position in which this discussion necessarily places both myself and also to a certain extent the Government with which I am connected. But, as I understand it, the question which the hon. Gentleman opposite (Mr. Maguire) wishes to raise is not one as to the merits of the case at all, but as to what he calls the legal question. That is to say—I must beg the hon. Gentleman's pardon for saying it—he wishes me to take an absolutely illegal course. In a case of the utmost gravity, as I admit it to be, and which has therefore been considered with the utmost gravity and care by the Judges who tried it, he wishes me to show this mark of contempt for them, after they have taken upon themselves the most solemn and painful responsibility, which they might have avoided by throwing over their legal decision on the points raised before them, and by referring them to some tribunal which I have neither the power nor the right to summon. Mr. Justice Blackburn, let me say, when the point was raised before him and his brother Judge, thought so little of it at the time that he did not think it even right to say that he would consult any other person about it, or take any other step in reference to it, but decide it at once. He thought there was nothing in the point to cause any difference in the verdict that the jury ought to give. But when he came to London he did consult all the Judges. I believe I am in a position to say that from no single Judge did he receive an adverse opinion to that which he and Mr. Justice Mellor had formed. Mr. Justice Blackburn needs no praise of mine; but this I will say, that a man of more acute intellect, or more fit to come to a right decision on a point of law than Mr. Justice Blackburn does not exist. And when I know the pains he has taken, and the labour he has given himself in order that he might arrive at a right conclusion as well upon the facts of the case as upon the points of law, I should consider I ill discharged the duty that I have to perform if, after the Judges have tried the case and decided upon a point of law, I were to take a step such as has never been taken under such circumstances before, and call upon the Judges to review the judgment of those who are solely responsible for what they have done, and who have taken upon themselves—I will not say boldly, but conscientiously—that responsibility because they believed it to be their duty. That responsibility has been exercised, I believe, justly as well as conscientiously, and it will never be my duty to interfere with the execution on that ground which the hon. Gentleman has mentioned.

MR. MONTAGU CHAMBERS said, that this was a solemn and important subject, and he wished to correct an error into which the right hon. Gentleman, as a public functionary, had fallen. The right hon. Gentleman would not commit an illegal act if he advised Her Majesty to exercise her Prerogative, and ask her Judges to consider whether there was any legal objection to this conviction. He went deeper than the Act of Parliament; he stood upon the Prerogative of the Crown. Although the right hon. Gentleman said there was no precedent for such an interference, yet precedent after precedent could be quoted anterior to the Act of Parliament which was passed a few years since; for whenever cases occurred which deserved to be argued before the Judges, Her Majesty graciously called them together to consult upon those cases. It was the Prerogative of the Crown to call in the Judges to advise Her Majesty when she was asked to exercise the Prerogative, not of mercy, but of pardon, on the ground that there had been an illegal conviction. He must admit that he had not studied this question. It might be that Mr. Justice Blackburn and Mr. Justice Mellor were right; but it might also be that they were wrong in their ruling upon the question of law raised before them. But as regarded the extra-judicial reference that had been made to the other Judges, he desired to point out that a private reference was one thing and a public argument conducted by counsel on both sides quite another, and it might be that the Judges who had given their private judgment if they heard the arguments *pro* and *con* might say that they had been rather too hasty, and they might decide differently if they heard those arguments. The question now was, whether it was right for the Secretary of State to submit to the gracious consideration of Her Majesty whether her Judges should not be called together to say whether there had or had not been a failure of justice so far as the legal point of objection was concerned. The lawyers in that House confined themselves to the legal objection; but when the counsel for these prisoners said they believed they could adduce arguments to show that the conviction was a wrong one, it would be wise, generous, and right for the Secretary of State to advise the Crown to have it thoroughly argued. He had no doubt about the policy and propriety of such a course. It might be that there was little or nothing in the objection taken; but the grand object of the administration of justice was to give public satisfaction, and the only answer to the appeal seemed to be, "Let us hurry on the execution." [*Cries of* "No!"] It must amount to that. The great object was to have every one satisfied that this was not an illegal or improper conviction. But was there no ground for the public uneasiness? He wished to direct the attention of the Attorney General to what took place on one of the subsequent trials. He understood that an objection was taken to the legality of the conviction for murder on the ground that there was no warrant in the hands of the officer who had the rescued prisoners in custody, and that the question whether there was a warrant or not, or whether it was a legal warrant or not, was not submitted as a matter of fact to the first jury. But he heard that afterwards, on the third trial, with an entirely new jury —the question having been thus raised on the first trial—the learned Judge proposed that the matter of fact as to the existence of the warrant and its being in the possession of the officer should be put to the third jury. He did not mean to say anything uncivil or unkind of the learned Judge; but the circumstance to which he had referred showed that Judges might make mistakes; and if they could make mistakes in a matter of that description, was it not possible that there might have been an error of judgment committed with reference to the other questions raised to be submitted to the Judges? Moreover, the very fact mentioned by the Home Secretary that Mr. Justice Blackburn had given his most anxious and careful attention to investigating whether there was anything in the points raised would, he thought, convince ordinary minds that they were worthy of being submitted to the other Judges. That circumstance might lead very fairly to the inference that the simple course of proceeding adopted in former times, and followed for centuries—namely, that of Her Majesty calling upon her Judges to hear counsel argue points of law raised in favour of her subjects who might be exposed to the operation of the criminal law—ought to be resorted to in this instance. From his own reading and experience he could state that before the Act passed, which gave a sort of right of appeal, the course adopted by the Judges was this:—Upon counsel raising an objection, the Judge would say, "I reserve that for the consideration of the twelve Judges." But that meant not simply that he had the power of reserving it, but that he submitted that Her Majesty, having reference to her gracious regard for the lives of her subjects, should call upon the twelve Judges to decide whether or no, according to the law of the land, there had been a right conviction. It was therefore to be hoped that the Secretary of State would not feel himself to be in the critical predicament which he supposed; because the responsibility was not upon the right hon. Gentleman. That was a total mistake. All that was suggested was that he should solicit Her Majesty to ask the advice of her Judges, after hearing counsel on both sides, as to whether there had been a legal or an illegal conviction for murder. In order to give entire satisfaction to the public it was desirable that the questions which had been raised and agitated in that case should be submitted to the careful consideration of the Judges, so that they might hear them fully and fairly argued upon both sides—for he apprehended that hitherto they had heard but one side—namely, the arguments of Mr. Justice Blackburn and Mr. Justice Mellor.

MR. MAGUIRE said, he had been prepared, on the authority of his hon. and learned Friend the Member for Dundalk (Sir George Bowyer), to mention a precedent; but he was so satisfied with what the hon. and learned Gentleman (Mr. M. Chambers) had just stated, that he did not think that necessary, and he would not then press his Motion.

On Question, "That the Motion be withdrawn,"

MR. GLADSTONE: I was in the expectation, Sir, after so much had been said on a question of such delicacy and importance, that we should have had the assistance which I think is usually given to the House by the Attorney General. Perhaps that hon. and learned Gentleman will have the kindness to state to us distinctly his view of the law on this matter. I certainly was waiting for that explanation, and I yet trust that we shall be favoured with it. I will only now express with very great deference and humility, and certainly with reservation and due submission to whatever may be told us upon information coming from the highest quarters, the view which I am myself disposed to take, as far as I can understand the matter. I was not able altogether to follow the argument of my hon. and lerrned Friend who spoke last. A verbal question may arise upon the precise expression used by the right hon. Gentleman (the Home Secretary) when he said that he was invited to do an illegal act. I can quite understand that an argument may be made that there is no statute prohibiting the right hon. Gentleman from taking the course which has been pointed out by my hon. and learned Friend, and that consequently he would not be offending against the statute or doing an illegal act. Whether that be so or not, I am unable to say; but, as I gather the state of the case, it is something like this:—The practice in previous periods, as has been lucidly shown by my hon. and learned Friend who spoke last (Mr. Montagu Chambers), was that when there was a suspicion that a conviction come to was not a good and valid conviction, the Crown, as being generally responsible for the administration of justice, was in the habit from time to time of referring to the Judges for their opinion on the point. Now, if nothing further had taken place, I could understand that the appeal made to the right hon. Gentleman and the Government would be a very strong one. But is it not the fact that in recent times we have passed a statute which, in lieu of leaving this matter to the general discretion of the Crown, has distinctly pointed out and provided the means of bringing it to issue? That is to say, it is now provided that, the point being raised, it shall be considered by the Judges who tried the case; that the judgment of those Judges shall be final; that they have the power of reserving the point if they think fit, but if they do not reserve it for the Court above, their judgment is final. Consequently, I am bound to say it appears to me that the verbal question which may be raised upon the expression used by the Secretary of State would be a verbal question only, and that the right hon. Gentleman is entitled, if that be the true state of the facts, to say that the statute having provided a distinct and specific means of carrying to issue those questions which were formerly dealt with by Prerogative, it is no longer in the spirit of the statute—it is no longer acting in that spirit in which all the proceedings of the Executive ought to be conducted—if the Crown, overlooking, or at any rate passing by, the provisions of the statute, were now to fall back upon that other mode of procedure of which it is quite evident that the statute was intended to get rid. At all events, I think it would certainly be requisite for those who take the responsibility of pressing the Government in this matter, to show that since the statute passed the old and former method of proceeding has nevertheless still continued in use. If it has not so continued in use, it seems to me—I confess upon what may be an insufficient and unauthoritative view of the case—that there would be a disregard of the spirit and intention of the Legislature in now falling back upon the former method. I hope, Sir, we shall have the advantage of hearing from the Attorney General the precise condition of the law on a matter of this great delicacy and importance. The House always, justly, I think, looks for that assistance, and is always disposed to attach the greatest weight to the declarations of the Law Officers of the Crown on questions of this difficulty with respect to which we stand in need of information.

The ATTORNEY GENERAL: Sir, I believe that the right hon. Gentleman who has just sat down has stated with perfect accuracy that there was a period, before the recent Statute passed, when the Crown was in the habit of consulting the Judges upon points of law raised before one of the Judges, who gave advice upon written statements sent to each of those learned Judges, on which they might express their opinions. And I think I am right in saying that in those cases it was the universal practice of the Judges to give their opinions, not upon the arguments of counsel, but upon private consultation among themselves with reference to the facts and circumstances brought before them. But since then, as is well known, a power has been given to a Judge, if he thinks that a question raised before him is worthy of consideration, to have that question reserved for the solemn argument and decision of the Judges in a Court of Law. Now, in this particular case—although I will avoid, as far as I possibly can, saying one word about the facts connected with the Fenians—the question that was raised at the trial was argued, and at considerable length—not, as generally happens, in a criminal court, before one Judge only, but before two Judges, who gave it their consideration, and made up their minds, according to the view which they then took, that there was nothing in the objection that was raised. But, on the application of the learned counsel for the prisoners, Mr. Justice Blackburn, the presiding Judge, said that he would re-consider the question; and if, upon further consideration, he should think there was anything at all in the objection, he would certainly reserve it for the learned Judges in the Court above. Since then it is well known that Mr. Justice Blackburn, having had a consultation with Mr. Justice Mellor, and also, as we learn, having consulted the other learned Judges, has come to the conclusion that it would not be right for him to suggest that there is any question of difficulty which ought to be reserved for the consideration of the learned Judges. Acting, then, as I am sure the House will feel that he does act, under a sense of the responsibility which attaches to him as a Judge, in expressing his opinion that there is nothing in the point reserved, and not acting on the mere responsibility of a counsel who says he can raise an ingenious argument upon it, Mr. Justice Blackburn has determined that, according to his judgment, here is not in this case a legal question which ought to be reserved, and therefore he has declined to suggest that it should be sent before the Judges in a Court of Law. So far as I know, since the responsibility has thus been thrown on the Judges of deciding whether a point should or should not be reserved, the old system, to which my hon. and learned Friend opposite has referred, has been practically abolished; and taking into consideration the solemn sense of responsibility under which the learned Judges who presided on the Special Commission acted, in coming to the conclusion that there was no question which they deemed it to be their duty to reserve for argument, I think we ought to receive the determination at which they have arrived as being the proper one under the circumstances of the case.

Motion, by leave, *withdrawn.*

LORDS COMMISSIONERS' SPEECH.
HER MAJESTY'S ANSWER TO THE ADDRESS.

THE COMPTROLLER OF THE HOUSEHOLD (Viscount ROYSTON) *reported* Her Majesty's Answer to the Address, as follows:—

"*Your loyal and dutiful Address has afforded Me much satisfaction*

"*I rely on your cordial co-operation in giving effect to the measures, which will be submitted to you, for the purpose of upholding the honour of My Crown and promoting the happiness and prosperity of My people.*"

PRINTING.

Select Committee *appointed,* "to assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House:"—Mr. BONHAM-CARTER, Sir JOHN PAKINGTON, Mr. WALPOLE, Mr. HENLEY, Mr. CARDWELL, Mr. GASKELL, Sir STAFFORD NORTHCOTE, The O'CONOR DON, Mr. HASTINGS RUSSELL, Mr. CHILDERS, and Mr. HUNT:—Three to be the quorum.

House adjourned at a quarter after Six o'clock.

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HOUSE OF LORDS,

Friday, November 22, 1867.

MINUTES.]—*Sat First in Parliament*—The Lord Fitzhardinge, after the Death of his Father.

DIOCESE OF SALISBURY—CHARGE OF THE BISHOP OF SALISBURY.

PETITIONS. OBSERVATIONS.

LORD PORTMAN rose to present two Petitions of Members of the Church of England in the Diocese of Salisbury, complaining of a recent Charge of the Bishop of that Diocese, and praying for the Establishment of some Tribunal for the speedy and inexpensive settling of all Cases of controverted Doctrine or Practice. The noble Lord said, he had been requested to present these Petitions, which were signed by more than 3,000 people living in the diocese of Salisbury, and the Petitioners were some of them clergy, some of them the largest owners of property in the diocese; and there were also a great mass of yeomanry and owners of small property, a great body of churchwardens, a large number of justices of the peace, and many of the large and small farmers and tradesmen in that diocese. He would have preferred that any other than he had been charged with the matter, as it placed him in a most painful position; but the importance of the questions involved constrained him to pursue the course which he proposed to adopt. He was told that the Petition was signed by only a few, if any, Dissenters; but that some of those who signed the Petition were called Dissenters by the clergymen who resided in their districts, because they had left the churches when changes had been introduced which were distasteful to them; but he (Lord Portman), for one, did not regard such persons in the light of Dissenters. The Petitioners complained of the Charge which had been delivered by the Bishop of Salisbury, and of the following doctrines taught—namely,

"That the Bishops of our Established Church inherit from the Apostles an authority to confer on all who are fully ordained certain extraordinary powers. 1. A miraculous sacerdotal power to produce by certain words and actions an external objective presence of Christ's body, and of Christ's blood, in every celebration of the Lord's Supper. 2. A supernatural sacerdotal judicial power either to retain sin by excommunication, or to remit sin by the ordinance of absolution necessitating a previous confession. Your Petitioners, therefore, protesting against these doctrines as contrary to the plain teaching of Scripture of our Protestant Church, and of its great divines, humbly pray that your Lordships may devise such measures as may avert the evil consequences of the doctrines set forth in the aforesaid Charge, by appointing some tribunal which shall afford a speedy and inexpensive means of settling all cases of controverted doctrine or practice."

He should be failing in his duty to their Lordships' House if he entered for one moment into any question of doctrine, or into any theological discussion, and he had only read the words of the Petition in order that their Lordships might be made acquainted with the nature of the complaints. He felt that he had no right to say to their Lordships that the opinions held by the right rev. Prelate were right or wrong. For himself, he believed that what each man thought right that he had a right to hold. But their Lordships would not be surprised to learn that great consternation had been caused in the diocese of Salisbury, because it was generally believed that no Bishop in the Established Church had previously put forth such doctrines as belonging to the Protestant Church of England. He was anxious to avoid saying anything which could be offensive to the right rev. Prelate, because all those who were acquainted with the right rev. Prelate, as a Christian man and apart from his position in the Church, held him in great esteem and regard. His business now, however, was not to enter into anything personal or individual, but simply on behalf of these Petitioners to speak of the right rev. Prelate in his official capacity. And he thought it but fair to the Petitioners that he should read to their Lordships one or two paragraphs in the Charge to show that they were not making statements unadvisedly. The right rev. Prelate, in pages 74 and 75, said—

> "And what, my brethren, is that effect which our Church teaches us to look for from the consecration of the elements in the Sacrament of the Lord's Supper? I answer without hesitation, because I think the evidence I can produce is very clear, that our Church witnesses that through consecration the body and blood of Christ become really present, and by this I mean 'present without us,' and not only 'in the soul of the faithful receiver'—objective and not subjective only."

He (Lord Portman) would now come to another matter—for he was anxious to avoid as much as possible all discussion on matters of doctrine. In pages 108 and 109 were the following passages:—

> "The Church of England may be disestablished, and when she has lost all the manifold blessings (and they are priceless ones) of her present position, she may be driven by her very weakness to throw herself upon other principles of a better strength; and then conscious of the soundness of her ecclesiastical position, and resting her claims both on authority and on her oneness in doctrine with the undivided Church, she may trustfully, tenderly, and yet with the firm authority of one whose Magna Charta is that large and unconditional promise which our Lord added to His commission, employ, and direct, and control the energies of the eager faith and the ardent love of her members. The great increase of the devotion and zeal which have, I am told, become one of the characteristic marks of many of her younger members, under even our present circumstances, would make the condition of a free Church a very hopeful one.
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> "The remedy for our present ills and the escape from our present danger may, I think, be included under the one large head of changing our past defensive policy into a constructive one—the taking and wielding 'the armour of righteousness on the right hand and on the left;' not only the shield for defence, but the sword and spear of the spirit wherewith to contend against all who oppose themselves."

THE BISHOP OF SALISBURY said, he was perfectly prepared to discuss the whole matter, paragraph by paragraph; but he thought it scarcely fair that the noble Lord should cull extracts from the Charge, as he had been doing, without alluding to other passages by which they were balanced.

LORD PORTMAN said, his only object was to save their Lordships' time. In the 120th page of the Charge the right rev. Prelate warned the clergy not to be afraid of the "offence of priestcraft," or of the ignominy which in the present day attached to the word "sacerdotal." Those were matters they could all understand. A great many who knew very little about matters of doctrine were still scarcely prepared to submit to a constructive system of priestcraft—such a system as would be calculated to bring us back to the dominion of the Church of Rome. He did not know whether the right rev. Prelate desired to inaugurate such a system; but judging from the statements contained in his Charge, it might be inferred that he was about to embark in a constructive policy upon an extended sacerdotal system which was commonly called priestcraft; but as the right rev. Prelate had signed the document which had emanated from the Pan-Anglican Synod, he trusted that he had seen fit with time and reflection to modify some of the views expressed in his Charge. Now, the right rev. Prelate in the autumn of last year did that which to many of them appeared to be scarcely prudent—he answered a letter which was published in *The Times*, signed "S. G. O.," in which the question arose as to the claims of the clergy, and a comparison was made as to the rights which the clergy of the Eastern and Western Churches claimed for themselves. He claimed the same powers which the Priests of the rest of the Catholic Church, both in the East and West, have ever claimed as their inheritance. That answer of the right rev. Prelate sounded the first alarm in the diocese of Salisbury, and a meeting was held in the western part of the diocese to protest against the position which their Bishop had taken up, and which had so much alarmed the clergy and the laity of the district. The answer given by the right rev. Prelate was that when the proper time came he meant to explain more fully—and this he had done in his Charge—what he really meant. The next step was the publication of the Charge, and he believed the right rev. Prelate had had the opinion of a great body of clergy expressed to him on the subject. He was not aware that the Bishop had endeavoured on any occasion to force his clergy to accept his views; but there were men who always yielded to one in authority, and who would endeavour to do what was agreeable to the Bishop, even though it might bring into his parish discord and confusion; and therefore it might become absolutely necessary that steps should be taken to ascertain the soundness of the positions which had been put forward by the right rev. Prelate, or else novelties introduced into parishes might lead to discord and strife, without the possibility of obtaining any legal decision to guide the parties. The great grievance of those who entertained views contrary to those held by the Bishop was that there was no tribunal in existence wherein the questions raised might be speedily and inexpensively decided. The process in the existing Ecclesiastical Courts was so ruinously expensive and so slow that no one, except under the most extraordinary pressure, would think of commencing proceedings in them in relation to subjects similar to that he had brought under their Lordships' notice. The right rev. Prelate had furnished his diocese and the country with an example of the working of the Ecclesiastical Courts by instituting proceedings in them against one of the authors of the book which was well known under its title of *Essays and Reviews.* Probably if less had been said about that work it would have been forgotten much sooner than it had been; and, had it not been for other matters mixed up with it, perhaps it would have been better to have left the right rev. Prelate's Charge without further comment being made upon it; for in his (Lord Portman's) opinion it, in truth, was worth little more than the paper and ink spent upon it. The Charge delivered by the right rev. Prelate had caused great grief and sorrow; but it was impossible that the religion of the people of this country, which was founded upon the Rock of Ages, could be affected by such a Charge as that of the right rev. Prelate: the Charge would, in all probability, lead to discord and strife in many parishes, and some persons have already expressed their doubt whether they could conscientiously approach the Holy Table when the right rev. Prelate was officiating, lest it might be supposed that they participated in the opinions he had promulgated. Under these circumstances, the Charge could not be passed over altogether without notice. He would refrain from saying more upon this part of the subject. But there was another point, not affecting the right rev. Prelate, to which he wished to draw the attention of their Lordships, and more particularly that of the noble and learned Lord upon the Woolsack. The Petitioners prayed for the establishment of a tribunal which could do justice speedily and inexpensively. He did not pretend for a moment that any suggestion he could offer to their Lordships would be of the least value; but he thought it right to lay before the noble and learned Lord on the Woolsack for his calm consideration his proposition, that the noble and learned Lord might consult with the members of the right rev. Bench as to the possibility of establishing some such tribunal as he was about to indicate. Both the civil and the criminal laws were administered by such tribunals, and facilities had been provided that after a cause had been heard in a lower Court, it might be brought before the supreme tribunal, so that it might be disposed of with promptitude, and he could not see why the same system should not be established in the case of the Ecclesiastical Courts. In civil and in criminal matters the case was first brought before an inferior Court, which ascertained the facts and gave the best judgment it could upon those facts; but if that judgment were called in question, it was reviewed, on a case carefully stated, by the Court above, which decided upon the question of law, and then sent the case down again to the inferior Court to deliver the judgment as directed by the superior tribunal. The whole matter was thus reduced to a nutshell, and the case was decided speedily and inexpensively. If such a system were good in the administration of the civil and the criminal laws, why should not it answer in the administration of the ecclesiastical law? The fact was that the rules governing the Ecclesiastical Courts were established some 200 or 300 years ago, and were not fitted for the present time. Men's eyes were beginning to be open to the condition of things, and they were no longer prepared to submit to them. He felt that he had occupied more of their Lordships' time than he was justified in doing; but he hoped that he had said nothing which was personally offensive to the right rev. Prelate, or that was not strictly relevant to the subject he had brought under their Lordships' notice.

On Question, that the Petition do lie upon the table,

THE BISHOP OF SALISBURY said, the noble Lord (Lord Portman) had not raised the question whether this was or was not a matter of heresy, and their Lordships' House a fit tribunal for trying it, and he himself should not seek to do so, because he was sure that he should be doing what would be very distasteful to their Lordships; at the same time, although he entirely denied that their Lordships' House was a Spiritual Court of Heresy, he was perfectly prepared, if their Lordships desired it, to enter into a discussion of the whole subject before them. He must say that he felt some pain that during his not very long episcopate their Lordships should have been called upon by the noble Lord on two occasions to investigate charges against him. On the first occasion their Lordships appointed a Committee to investigate the complaints which had been made against him, and the result was that the House had been convinced that they were groundless. And here he could not refrain from reminding the noble Lord opposite that he had not helped him to carry out the resolution come to by that Committee. But, on the other hand, there were reasons which made him glad that this discussion had been brought forward. In the first place, the noble Lord had not mixed up personal matters in the question he had brought before their Lordships' House; and, in the next place, he was glad to have the opportunity of giving some explanation, not on particular points of doctrine which, as he said, he felt would be distasteful to their Lordships, but on several other matters which did not touch doctrine. But before he did so, he must take the opportunity of stating most distinctly that with regard to points of doctrine—such as the Sacrament of the Lord's Supper, absolution, confession, the ceremonial or ritual of the Church—he adhered to every syllable he had expressed in his Charge. After the gravest consideration he could give to the subject since the notice of the noble Lord had been given to bring this subject before their Lordships, he most distinctly re-asserted that he adhered, as a strong English Churchman, to the whole exposition he had given in his Charge. He withdrew not one single statement. The noble Lord particularly objected to that part of his Charge which related to the policy of the Church of England—what she ought to do under her present difficulties. And he thought he had reason to complain, that while there were many passages touching that subject, the noble Lord had quoted only a single sentence. He was most anxious that their Lordships should be enabled to form their own opinion on this point; and he therefore purposed sending to each a copy of the Charge, with an earnest request that they would do him the justice to read it and form their own judgment in regard to this particular portion of it. But there were one or two other points to which he desired to call the attention of the House. A Petition had lately been addressed by a number of clergymen and churchwardens in his diocese to the Archbishop of Canterbury, and he had informed his Grace, who had just left the House, what remarks he intended to make upon it. One of the complaints there made was that he, as Bishop, had used the opportunity of his Charge of making authoritative declarations of what were called erroneous doctrines. But he had not done so. He entirely denied that a Bishop's Charge was an authoritative declaration like that of a synodal decision pronounced by the Bishop. He always kept distinctly before his clergy and churchwardens, when addressing them, that he was speaking to their consciences; that he was doing what every clergyman did every Sunday of his life — namely, witness what he believed to be the truth of God. Then there was another point—namely, the state of his diocese. Their Lordships might suppose that his diocese was in a constant state of turmoil and of disaffection towards him, instead of which there was not a more peaceable diocese in the kingdom. Nor had he allowed anything to be done in vindication of himself which might disturb this state of quiet and peace. He was quite content to bide his time, persuaded that Englishmen would deal by him honestly, read his Charge, and judge for themselves. His Grace, in answer to the address already referred to, used these words—

> "In conclusion, I must express a hope that the novel variations from the established usage of our Church, which you intimate have caused the alienation of many of its attached members in the diocese of Salisbury, will not be continued after the Report of Her Majesty's Commissioners."

Now, he asserted most solemnly that he did not believe that there was another diocese in the kingdom where there was so little Ritualism as in his. He stated most distinctly that in only one small parish, with about 150 people, or not so many, had there been any attempt at what was now generally understood by the word Ritualism. He had lived thirty years in Salisbury, and he had never made one single alteration in established usage in the cathedral, or parish churches in the cathedral city; he had never done anything to disturb the minds of the people on this subject. Yet it was said he had caused the alienation of many of the Church's attached members by these novel variations. A wrong issue had been raised in his diocese. There was less "Ritualism" in his diocese, he repeated, than in any other diocese in the whole kingdom. With regard to his teaching, he honestly professed he was a very High Churchman. He had never disguised it. Any one who regarded him as other than a very High Churchman would thoroughly misrepresent his deepest convictions. But though he was a very High Churchman he appealed to the noble Lord to say whether during his episcopate he had ever shown any want of toleration. Of course, it was very painful to speak of himself; but he was perfectly satisfied that not one single clergyman, not one single layman, in his diocese, could say that he had ever shown any want of tolerance or consideration for the opinions of others. [Lord PORTMAN said, he had not said so.] He believed the noble Lord would give him credit for allowing others to maintain their own principles even as he desired to maintain his own. But he must now give their Lordships some account how any disturbance of the peace of his diocese which had occurred had been brought about. One instance was as follows:—When he became Bishop of the diocese and went to consecrate a new church, or one renovated or re-built, he not unfrequently found everything very carefully arranged for, except the Communion Table. This he considered most unseemly, and determined to remove such offence at his own cost. He accordingly wrote to an excellent friend of his—an architect—asking at what rate he could supply a new Communion Table, not a very expensive one, but a solid one—intending to make a present of one to any new or reconstructed church where it might be acceptable. This excellent architect having provided him with plans, he had for many years had the privilege of giving these Communion Tables to church restorers and builders, whether High Churchmen or Low Churchmen. But this year he was charged with attempting to introduce through such offerings new doctrines, and to his very great surprise he found that a pamphlet was being circulated throughout his whole diocese, warning Churchmen against his Communion Tables. Surely that was a very paltry way of carrying on warfare. However, the result was that for the future he should withhold, unless urged to give it, any such aid. Another means used to oppose him had been to organize a Lay Association, and he could supply the House with some remarkable details of the workings of this society, but he would not trouble their Lordships with them. But he protested against parties going into every parish and stirring up every kind of ill-feeling. Many of these persons came to Salisbury; but as he had lived so many years there, and was well known, agitation against him was not countenanced by the inhabitants, and the use of the Council Chamber of the city as a place of meeting was refused to them. Those parties came to the place in order to make his residence as uncomfortable as they could; but he was happy to say that the attempt was an entire failure. He had, on every public occasion, met with every mark of respect and dutiful attention which a Bishop could desire to receive from the residents of his cathedral city, and they thought it wrong, after he had acted with the greatest consideration to the feelings of all, that parties should come down and try to disturb him in his home there. The noble Lord had referred to a letter, published in *The Times*, with the well-known signature of "S.G.O.," and which he had felt bound to notice. Now, if there was one man more than another to whom he was bound by feelings of the deepest affection personally, it was the writer of that letter, who, in the private relations of life, had done him acts of kindness which he never should forget, and had he not been moved by a feeling of the highest sense of duty to vindicate the honour of his clergy, whom the writer of the letter had tried to caricature, nothing would have induced him to take the line he did in reference to one he loved. But he did not regret what he had done, for it was done not without consideration and under the influence of honest convictions. Now, all he had to say, in conclusion, was that he intended to persevere in the course he had hitherto adopted, because he was satisfied that the teaching of the High Church party gave what was the most natural and plain and honest exposition of the meaning of the formularies of the Church of England; but the principles on which he intended to administer his diocese he had expressed in a few words in the following passage of his Charge:—

> "I have more faith in another and a simpler remedy, and that is the remedy of patience and charity. I would not question the loyalty of those Churchmen, be they what is called High or be they what is called Low; but I would cling to the belief that continued fatherly kindness on the part of those in authority, and the careful abstinence on all sides from bearing false witness, would do very much to lessen our difficulties, by constraining with the cords of love all, and especially the young, to deal with others, whether above them or below them, with consideration and sympathy, and to temper zeal for God's truth, even when purified of all dross of mere human passion, with the healing waters of charity."

He had nothing more to say in his defence, and had only to repeat that he would take the earliest opportunity of sending to each of their Lordships a copy of his Charge.

THE BISHOP OF ST. DAVID'S said, he did not think that there was more than one single point raised in the course of the discussion with which it could properly be said that their Lordships' House had anything to do. So much was admitted by the noble Lord who presented the petition, and doubtless the noble Lord therein expressed the general opinion of the House. But there was one single point, and one of great importance, with which their Lordships could very properly deal, and therefore he rose to express his earnest hope that the noble and learned Lord on the Woolsack would not yield to the temptation which had been held out to him of illustrating, as it was termed, his term of office in the way suggested by the noble Lord who presented the Petition, and that he would not apply his great abilities or take counsel with the most rev. Prelate (the Archbishop of Canterbury), whose absence from the House at the moment he regretted, for the purpose of framing any measure for the establishment of fresh Ecclesiastical Courts, in order that spiritual suits might be multiplied to any extent. The multiplication of such suits might be, in the opinion of those who signed the Petition, and in the opinion of the noble Lord who presented it, advantageous to the Church; but he (the Bishop of St. David's) thought that few of their Lordships would think it an unmixed good. In his humble opinion, it would be an unmixed evil.

LORD PORTMAN said, that it had pained him very much to hear the right rev. Prelate state that he adhered to every word he had written, and that he intended to persevere in the course he had adopted. This made it the more necessary to improve the procedure in the Courts, as the remedy would be needed. He would warn the right rev. Prelate to beware how he continued to support the plan to consecrate a second Bishop in the diocese of Natal. Bishop Colenso cannot be deposed from his temporalities, and it is believed that Bishop Hamilton cannot be deprived of those of Salisbury; but if he succeeds in his efforts to obtain a second Bishop in Natal, the Petitioners may claim a second Bishop in the diocese of Salisbury—what is good in a colony may be equally good at home; but in the opinion of most men, in which he (Lord Portman) agreed, it would be an unmixed evil. In reply to what had been stated in reference to the establishment of new Courts, he explained that he did not ask for the establishment of any new tribunal. All he asked for was that what was permitted in Criminal and Civil Courts might be done in Ecclesiastical Courts.

THE BISHOP OF LONDON said, he should feel sorry it should be supposed that the right rev. Bench generally were desirous of perpetuating legal processes which were at once cumbrous and expensive. He heartily concurred with his right rev. Friend who spoke last but one (the Bishop of St. David's) in the opinion that it would be a very great misfortune if a number of cases involving questions of doctrine should be continually coming before our Courts; but he could not, at the same time, help thinking that to make such cases cumbrous and expensive was an inconvenient mode of restraining them. While, therefore, he was as anxious as his right rev. Friend could be to prevent the multiplication of those cases, he trusted rather to the good feeling and good sense of the clergy throughout the country for the attainment of that object than to the other means which had been suggested. He must express it to be his belief that it would be well if our Ecclesiastical Courts were placed on a footing of greater harmony with the spirit of the other Courts of the kingdom. It had in former times been urged that it was desirable that proceedings in the Civil Courts should be cumbrous and expensive, inasmuch as a check would by that means be placed upon litigation; but upon that point public opinion had since undergone a complete change, and it was now universally held that if the majesty of justice was to be maintained that object could most effectually be gained by having causes tried before a tribunal which was at once cheap and good. He might further observe that it was not the framework of our Ecclesiastical Courts that stood in need of any considerable alteration. What was required was that a more simple mode of procedure should be established in them, and he, for one, could never understand why rules should not be laid down for the transaction of the business in those Courts such as the Judges of the Superior Courts were enabled to lay down for inferior tribunals in civil matters. If such a course were adopted, and rules for the regulation of proceedings were framed by the highest judicial and ecclesiastical authorities, as had to some extent been done already in Ireland, great waste of time would, he thought, be avoided, and much good accomplished, without effecting a revolution or even any great change in the constitution of the Ecclesiastical Courts. He hoped he might be allowed to add a few words on the other subject brought before the House. He differed in many important particulars from his right rev. Friend behind him (the Bishop of Salisbury). While, however, he entertained that difference of opinion, he must admit that his right rev. Friend had taken great pains in the formation of his peculiar views, and it was not likely that he would be induced to change those views even by the forcible eloquence of the noble Lord opposite. He understood, indeed, the right rev. Prelate to say that, having formed them maturely, he intended to persevere in holding them; but there was little doubt that he would also persevere in that course which he had hitherto pursued, of dealing with perfect fairness and impartiality with all the clergy of his diocese. He had, indeed, good reason to know that persons who differed from his right rev. Friend materially had found in him a kind adviser; while the respect in which he was personally held in his diocese, owing to the deep religious tone of his life, was, he believed, as great as was ever paid to any Prelate in the present or former times.

Petitions ordered to lie on the table.

House adjourned at a quarter past Six o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, November 22, 1867.

MINUTES.]—SELECT COMMITTEE—On Public Petitions *appointed.*

PUBLIC BILLS—*Ordered*—Libel*; Drainage and Improvement of Lands (Ireland) Supplemental.*

First Reading—Libel * [3]; Drainage and Improvement of Lands (Ireland) Supplemental * [4].

CATHOLIC UNIVERSITY OF IRELAND. QUESTION.

MR. MAGUIRE asked the Chief Secretary for Ireland, What course the Government intend to adopt with reference to granting a Charter for the Catholic University of Ireland?

THE EARL OF MAYO said, the important question of University Education in Ireland was at present engaging the most anxious attention of the Government, and he hoped that when Parliament met at the ordinary time he should be able to state the intentions of the Government on the subject.

BREECH LOADING RIFLES FOR THE ARMY.—QUESTION.

LORD ELCHO asked the Secretary of State for War, Whether the decision of the Committee composed of Officers of the Regular Army and of Civilians, which was appointed to consider and report upon the various arms submitted for trial, in accordance with the terms of the War Office advertisement issued in October last, by which "gunmakers and others" were invited to propose "breech-loading rifles which may replace the present service rifles in future manufacture," will be considered final; if not, what are the grounds for not accepting as final the decision of a Committee which was invited "to report upon the best breech-loading rifle for use in the Army;" and, to what further inquiry will these arms be submitted, by whom will it be conducted, and within what period of time may it be expected that a final decision will come to as to the future service rifle?

Sir JOHN PKAINGTON: The Question my noble Friend has put to me is rather a complicated one, but I will answer it as clearly as I can. The Question refers in the first instance to the Committee which was decided on by my right hon. and gallant predecessor (General Peel) shortly before he left office, to determine a competition between breech-loading rifles, which were to be sent in on the terms contained in an advertisement. My right hon. and gallant Friend offered a considerable sum of money by way of prizes for the best of those arms. The Committee of adjudication is composed of five gentlemen — two civilians, Lord Spencer and Mr. Ross, and three military officers—Colonel Fletcher, of the Guards; Captain Rawlins, of the 43rd; and Captain M'Kinnon, of the 23rd Regiment. Colonel Fletcher was the President. My noble Friend asks me whether the decision of that Committee is to be considered as final. Now, the decision of the Committee as regards the prizes to be given cannot be considered as final in respect of the arm to be adopted, for reasons which I will explain. No doubt, at the time my right hon. and gallant Friend determined on appointing the Committee he hoped that its decision would be final, and that the arm which received the first prize would be finally selected as the permanent arm for the British service. I should observe that I find no record in the War Office of what the direct intentions of my right hon. and gallant Friend were; but I imagine that what subsequently occurred was not foreseen by him or anybody else—namely, that nearly 100 arms were sent in for this competition. Out of that number the great majority, or nearly seventy I think, did not comply with the conditions of the advertisement, and consequently the competition for the prizes was limited to a small minority of the arms sent in. The question then arises what course ought the Committee to take in reference to those weapons which are not in conformity with the terms of the advertisement? My noble Friend implies in his Question that the Committee was invited "to report upon the best breech-loading rifle for use in the army." These words are not to be found in any public paper. They may have been contained in a letter from my right hon. and gallant Friend. My noble Friend goes on to ask, "To what further inquiry will these arms be submitted?" The arms the Committee have sat on will not be submitted to any further inquiry. The question then arises with reference to the course the Committee is to take with regard to the large number that were not properly admissible; and it may be desirable to have an inquiry as to those seventy weapons, many of which may be of a very valuable character, though they do not comply with the terms of the advertisement. Consequently, I have sought for information in the Office as to what were the precise intentions of my right hon. and gallant Friend, and I find the belief there to be that he intended to have the duty of the Committee confined to deciding as to what arms ought to receive the prizes. Then comes the question how this matter is to be decided. The gentlemen composing the Committee having already sacrificed a great deal of time to an inquiry which turned out to be very laborious, I could not assume that they would be willing to embark in another investigation, or that, in the case of the military officers, the Commander-in-Chief would be willing that they should do so. I believe the present inquiry will not be concluded for some time, and, no doubt, the other would also last a very considerable period. If, however, the gentlemen composing the Committee should be willing to embark in it, and the Commander-in-Chief should give his consent, I believe I could not act with greater advantage to the public service than by committing such an inquiry to gentlemen to whom the Government and the country are already so much indebted. In that case their decision cannot be arrived at in less than a year.

Mr. NEWDEGATE asked the right hon. Baronet whether he would have any objection to lay on the table a Return of the number of muskets which had been converted into breech-loaders, and also the number of Enfields available for conversion?

Sir JOHN PAKINGTON believed that such a Return had already been laid on the table; but if not, there would be no objection to producing one.

STORM WARNINGS.—QUESTION.

Colonel SYKES asked the Vice President of the Board of Trade, Whether any further Correspondence on the subject of Storm Warnings with the Scientific Committee of the Royal Society will be presented to the House, and whether they will be resumed ?

Mr. STEPHEN CAVE: There have been frequent communications on the subject of Storm Warnings during the Recess between the Meteorological Committee of the Royal Society and the Board of Trade. I hope to lay the final arrangements on the table of the House on Monday next. I had therefore better defer answering that part of the Question referring to the resumption of the storm warnings until after that day.

THE REGENT'S PARK—THE ORNAMENTAL WATER.—QUESTION.

Mr. THOMAS CHAMBERS said, that much apprehension was felt by residents in the neighbourhood of the Regent's Park, as to what was being done there in respect of the Ornamental Water. He wished to ask the noble Lord the First Commissioner of Works for some explanation on the matter, and as to the nature of the alteration which is proposed.

Lord JOHN MANNERS: There is no ground for the anxiety referred to by the hon. and learned Gentleman. What is proposed to be done is this: — The water will be drained off; the mud will be drained and covered with soil that has already been accumulated there for the purpose; it will then be concreted, and the whole length of the lake will be reduced to a uniform depth of about four feet. By that means we hope to prevent a recurrence of the awful calamity of last winter.

ABYSSINIAN EXPEDITION — PURCHASE OF MULES.—QUESTION.

Captain VIVIAN asked the Secretary of State for Foreign Affairs, Whether any Correspondence has taken place between the War Office and the Foreign Office relating to the conduct of the British Consul at Barcelona with regard to the purchase of mules for the Abyssinian Expedition; and, if so, whether he will lay that Correspondence upon the table of the House ?

Lord STANLEY replied, that a correspondence on the subject had taken place between the War Office and the Foreign Office, and between the Foreign Office and the British Consul at Barcelona. It was not completed, and he was not at present in a position to say whether or not there was any objection to its production.

SUPPLY.

Order of the Day, for a Committee on Motion for Supply, read.

STATE OF HONDURAS—TREATY OF GUARANTEE.—QUESTION.

Mr. AYRTON said, that before the Speaker left the Chair he was anxious to obtain from the Secretary of State for Foreign Affairs some explanation respecting a document issued a few days ago in the City of London by Senor Don Carlos Gutierrez, Honduras Minister in London, inviting Her Majesty's subjects to subscribe to a loan of £1,000,000 to the State of Honduras, it being alleged that a portion of such loan was to be applied to the construction of an inter-oceanic railway from Puerto Caballos, on the Atlantic, to the Bay of Fonseca, on the Pacific. The prospectus in question stated that this railway would, when complete, be about 230 miles in length, but that the present loan is to be applied to the construction of the first section of the railway, from Puerto Caballos to Santiago, a distance, he believed, of about forty miles. Moreover, the prospectus contained the following announcement:—

> "The new Treaty between Honduras and Great Britain declares that 'In order to secure the construction and permanence of the route or road herein contemplated, and also to secure for the benefit of mankind the uninterrupted advantages of such communication from sea to sea, Her Britannic Majesty recognises the rights of sovereignty and property of Honduras, in and over the line of the said road, and for the same reason guarantees positively and efficaciously the entire neutrality of the same; and when the proposed road shall have been completed Her Britannic Majesty equally engages, in conjunction with the Republic of Honduras, to protect the same from interruption, seizure, or unjust confiscation, from whatsoever quarter the attempt may proceed.'"

Now, if such a treaty had really been entered into by Her Majesty's Government, it would involve this country in very serious responsibilities; for though the prospectus only spoke of the raising of £1,000,000, yet if that sum were to be applied to the construction of only forty miles of the line, it might be inferred that the cost of the whole 230 miles would be immense. Indeed, he believed that this section was the only portion of the line which could be constructed at a moderate expense, as there was a large range of hills running through the State of Honduras which would render the construction of the other sections an undertaking of much difficulty. If, however, the line could be constructed at a moderate expense, it would seem that for that ostensible object a large loan was to be obtained in this country, and the character and credit of the whole transaction supported by a Minister accredited to Her Majesty's Government, quoting a new treaty alleged to have been entered into. Persons reading the prospectus would naturally believe that the scheme had been communicated to the noble Lord the Secretary for Foreign Affairs, and that he had concurred, or tacitly acquiesced in it. A treaty seriously affecting the finances of this country ought to be laid upon the table of that House, and it was even doubtful whether it could be carried into effect without the sanction of an Act of Parliament. It was possible, however, that this Minister might be drawing more upon his imagination than upon his diplomatic relations with the noble Lord, for he had discovered that a treaty was entered into between Her Majesty's Government and the State of Honduras as long ago as the year 1856, for guaranteeing certain rights and privileges to the Honduras Oceanic Railway Company. But that treaty had sole reference to a project brought forward by that Company, and only guaranteed the immunities he had just referred to on conditions that the railway should be completed from sea to sea by that Company, and that the Company should in exchange concede certain rights and privileges to British subjects. He believed that the Company did not succeed in its undertaking, and therefore that treaty had fallen practically to the ground. At all events, it could have no effect unless the Company carried out the whole line, and gave effect to the stipulations. There was obviously an immense difference between an independent Company engaging to construct the whole line and the Honduras Government taking the matter into its own hands, because the Company furnished in itself a guarantee for a certain amount of neutrality; whereas if the railway were made by the State there would be no such guarantee. He would therefore ask the noble Lord whether any treaty had been recently concluded between Her Majesty's Government and the State of Honduras, and whether anything of the sort were contemplated? He trusted that the noble Lord would not be so inconsiderate as to pledge the credit of this country alone to a guarantee of neutrality in reference to anything connected with Central America. Such a proceeding might grievously offend the sensibilities of a great nation nearer to Central America than ourselves, and might provoke antagonism and opposition on the part of other great commercial nations and maritime Powers. If any step were taken at all it should be in conjunction with all the great maritime Powers of the world. Care should be likewise taken that a proper route should be selected; for every two or three years the public were informed that a beautiful route from ocean to ocean had been discovered, and that a line could be constructed at a very trifling expense. Several years ago Her Majesty's Government had acted upon the faith of a representation that a man had been to a certain point in Central America, and had stood on a hill from which he could see the Atlantic, and that, after walking a little way into a wood, he came to a place whence he could see the Pacific. A commission was sent out to verify the accuracy of this story, and they ascertained that the man, after gazing on the Atlantic, took a walk through a wood, and, turning in the direction of the spot he had formerly occupied, of course he saw the Atlantic again. Indeed, it was discovered that there was an impassable range of mountains between that spot and the Pacific. Several Englishmen unfortunately lost their lives in detecting that absurdity. He hoped, therefore, that nothing would be done in Central America until the best route was chosen by practical men. If the statements in the prospectus were correct, he should like to receive some information as to the resources of Honduras, its income and expenditure, and the value of the exports of wood referred to in the prospectus. He would add that he had no personal interest whatever in the loan, and that he had merely brought the matter forward in the interest of the public. He begged to ask the Secretary of State, Whether any new Treaty of Guarantee has been entered into with the States of Honduras, and what are the resources of that State?

LORD STANLEY: The answer which I have to give to the fair and opportune Question of the hon. and learned Gentleman will be extremely short, and I hope the House will consider it satisfactory. No new treaty or guarantee has been entered into with the State of Honduras, and as far as I am concerned there is no intention of concluding any such treaty. It is, I think, quite evident that the treaty referred to in the document which has been quoted by the hon. and learned Gentleman is the Treaty of the 27th August, 1856. I do not understand how that can be termed a new treaty; and I notice that in the document referred to by the hon. and learned Member no mention is made of a fact which has a somewhat important bearing on the obligations involved in that guarantee. The additional Article of the Treaty of 1856 stipulates that, in consideration of various concessions therein enumerated—

> "Her Britannic Majesty recognizes the rights of sovereignty and property of Honduras in and over the line of the said road,"—

namely, the road to be constructed by the Honduras Oceanic Railway Company—

> "And for the same reason guarantees, positively and efficaciously, the entire neutrality of the same as long as Great Britain shall enjoy the privileges conceded to it in the preceding section of this Article. And when the proposed road shall have been completed, Her Britannic Majesty equally engages, in conjunction with the Republic of Honduras, to protect the same from interruption, seizure, or unjust confiscation, from whatsoever quarter the attempt may proceed.

But then the treaty goes on to say that this protection and guarantee are granted conditionally and may be withdrawn at six months' notice if any regulations be made contrary to the spirit of the treaty. That is the only undertaking into which the British Government has entered, and no new one is contemplated.

Committee on Motion, "That a Supply be granted to Her Majesty."

Queen's Speech *referred;* Motion *considered.*

(In the Committee.)

Queen's Speech read.

Resolved, "That a Supply be granted to Her Majesty."

Resolution to be *reported* on *Monday* next.

ADJOURNMENT OF THE HOUSE.

On Motion, "That the House, at its rising, do adjourn to Monday next:"—

ARRESTS OF ENGLISHMEN IN FRANCE.

QUESTION.

Mr. DARBY GRIFFITH rose to ask the Secretary of State for Foreign Affairs, Whether, on the 4th day of November, at the Calais Railway Station, a gentleman named Coventry was threatened with arrest by a French policeman for not being provided with a passport; and that, on the English Consul coming to his assistance, he was told by the policeman that he could arrest the Consul himself on suspicion, for not having a passport, if he chose? While England had, in all past time, been noted for her love of personal liberty, it had been rather the fashion with our friends on the other side of the Channel to prefer equality, and to sacrifice personal liberty to it; and this was so, whether under the old Royal dynasty, after the restoration of the Bourbons, or under a Republic, or the former or present Empire. Some few years ago the present Emperor abolished the use of passports in the case of English travellers in France; but if this liberty were to be interfered with arbitrarily the privilege would cease to be an advantage, and would, in fact, be converted into a trap. The other day there appeared in *The Times* newspaper a statement, signed "H. W. C.," to the effect that the writer was standing at the Calais Station, about to leave by the night train, when he was called on by a porter to interpret for an Italian; immediately after doing which a French detective demanded his passport, and on his replying that a passport was not necessary in the case of an Englishman, the Frenchman said, "You are the very man I have been looking for; you are not an Englishman, but an Italian." The writer, therefore, called the porter who had asked his assistance as interpreter, and who confirmed his statement of what had happened; but the policeman, in a loud voice, and with sneers and taunts, said he was a thief and a spy; that the police knew him well, and that he was a prisoner. At this juncture the Vice Consul came forward, and assisted the gentleman in getting out of the clutches of the police, which he did with some difficulty. The writer further said that the policeman declared not only that he could arrest the gentleman, but that he could arrest the Consul himself, on suspicion, for being without a passport. He (Mr. Darby Griffith) had written to the Vice Consul, who confirmed the statements of Mr. Coventry, especially as to the boast of the *sergent de ville* that he would arrest the Consul himself on suspicion, unless he were specially protected by a passport. The noble Lord the Foreign Secretary would, perhaps, concur in the view that it was undesirable an officer with so little discretion should be stationed at such an important place as Calais. He trusted that the noble Lord would not allow a case of this sort to pass without a thorough apology being rendered, and *sergens de ville* taught that they were not in this way to insult Englishmen. This case, however, was by no means the only recent one in which Englishmen had suffered annoyance, detention, and loss. His attention had been called to several occurrences of a more outrageous nature. A few weeks ago the secretary of an English Bishop went to Paris to make inquiries as to the conduct and operations of the small markets. He soon perceived that wherever he went he was followed about by a well-dressed man; and on the second morning, on getting out of an omnibus at the door of his hotel, he was seized, accused of stealing cigars, and taken to a police-station. The secretary wrote to the Embassy, but his letter was not delivered until the following morning, when two Attachés went to the station and liberated him. The next case he would mention was one of a still more despotic character. A clergyman connected with a parish in the North of England, while taking some refreshment on the premises of a *marchand de vins*, was seized, and, although he gave his name and address, was conveyed to a police-station. He wrote to the Embassy, but his letter was not delivered for three days. An Attaché then called upon the clergyman, but could do nothing for him, because the rev. gentleman was not known personally to any one at the Embassy—which was not at all surprising. Ten days were taken to correspond with the references which the rev. gentleman gave in his own parish. All that time he was kept in the lock-up and treated as a prisoner awaiting his trial, so that he was thirteen days a prisoner for no fault except that of being personally unknown to any one at the Embassy. There was also the case of another Englishman, who signed his name "H——d," who was detained twenty-four hours, and then liberated with an apology. He hoped to hear the course taken by the noble Lord in all these cases.

Mr. Darby Griffith

LORD STANLEY: In consequence of the notice of the hon. Member, I called on the Vice Consul at Calais for a Report. It appears that Mr. Coventry was seen and heard speaking in Italian to an Italian fellow-passenger. This was an individual whom, for some reason or other, the French police considered they had cause to suspect. Mr. Coventry, who had been seen in company with him, was asked for his passport. He answered that he was an Englishman, and was entitled to travel without a passport. He was then asked whether he could produce any papers which could prove his nationality. I ought to mention that the privilege of dispensing with passports is confined to British subjects, and is often claimed by persons not entitled to it. It is not therefore unreasonable or improper that when any difficulty arises British subjects should be called upon to give some evidence of their nationality. Mr. Coventry appears to have given an answer—whether a sharp one or not I do not know—which provoked the police agent, and something in the nature of a dispute ensued. The Vice Consul interfered, and then the police-officer, having somewhat lost his temper, did use towards the Vice Consul an expression which was certainly not courteous or consistent with the respect due to his official position. It does not appear that Mr. Coventry was detained, and therefore the person most aggrieved in the matter is the Vice Consul. That gentleman, however, has written to me that the objectionable words were used by the police-officer in the heat of a dispute which had arisen with another person; that the police-officer is in general remarkably civil in his language and conduct; and that, though large numbers of English people have passed through Calais lately, he is not aware of any complaint having been made before against this person. Under these circumstances, an explanation and apologies having been offered to him, the Vice Consul does not desire to take any further notice of the matter. That is a very reasonable and proper conclusion, and I do not therefore mean to make any representation on the subject. With regard to the other cases mentioned by the hon. Gentleman, as he gave no notice respecting them, I must ask him to give me the names and particulars, so that I may make inquiry.

Motion *agreed to.*

LIBEL BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to amend the Law of Libel, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Mr. BAINES.

Bill *presented*, and read the first time. [Bill 3.]

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) SUPPLEMENTAL BILL.

On Motion of Mr. HUNT, Bill to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, *ordered* to be brought in by Mr. HUNT and The Earl of MAYO.

Bill *presented*, and read the first time. [Bill 4.]

PUBLIC PETITIONS.

Select Committee *appointed*, "to whom shall be referred all Petitions presented to the House, with the exception of such as complain of undue Returns, or relate to Private Bills; and that such Committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents, and do report the same from time to time to the House; and that such Reports do in all cases set forth the number of signatures to each Petition:—And that such Committee have power to direct the printing *in extenso* of such Petitions, or of such parts of Petitions, as shall appear to require it:—And that such Committee have power to report their opinion and observations thereupon to the House:"—Mr. CHARLES FORSTER, Mr. BONHAM-CARTER, Major GAVIN, Sir COLMAN O'LOGHLEN, Mr. HASTINGS RUSSELL, Mr. Alderman SALOMONS, Mr. OWEN STANLEY, Mr. KINNAIRD, Mr. REGINALD YORKE, Mr. ROBERT TORRENS, Mr. M'LAGAN, Mr. SANDFORD, Sir CHARLES RUSSELL, Mr. DE GREY, and Mr. HENRY EDWARD SURTEES: Three to be the quorum.

House adjourned at half past Five o'clock, till Monday next.

HOUSE OF LORDS,

Monday, November 25, 1867.

ABYSSINIA.—QUESTION.

EARL GRANVILLE: I am extremely glad to see my noble Friend (the Earl of Derby) in his place again, and particularly as his presence induces me to preface, perhaps, a little more fully than I should do to any other person, the Question I am about to ask him. I hope I am not transgressing the recommendation made by the Committee of last year, that no Question should be put without public notice having previously been given upon the Paper. I have no wish whatever, in asking for explanations concerning the Abyssinian Papers, to raise any debate upon the important question to which those papers relate, or even upon the preliminary question as to the reasons—apart from the celebrated "month of August" argument—why we should not have been asked three months ago to do what is now desired of us. What I contend is that some little information should be given, which I think is wanted, and which ought to be given with as little delay as possible. Your Lordships may perhaps think that the 500 pages presented last week are sufficient to satisfy any moderate appetite. Certainly, at first sight, they appear to include every scrap of paper which can be found in the India Office. I think it is even doubtful whether it was absolutely necessary to present to Parliament all the papers contained in the blue book. There is one correspondence I read which comprehends a letter from the Medical Department to the War Office and from the War Office to the India Office, an answer from the India Office to the War Office, and a rejoinder from the India Office to the War Office; all exclusively turning upon one point—whether a certain surgeon should take out his valet—an important question, which seems only to have been decided by an appeal to the Horse Guards, the gracious interposition of the Commander-in-Chief, and the amiable acquiescence of the surgeon himself. There is a very long statement interesting to genealogists, first given *in extenso* and then in abstract, of the claims of Sir Bridgtower, of No. 18, Via di Tritone, at Rome, to the throne of Abyssinia. It was a relief to me, after being kept in suspense for several pages, to find that the Secretary of State had decided not to support these claims by force of arms. This, however, must be admitted on behalf of the Government; it may be tiresome for one to read the offers of personal service and letters describing goods for sale; it may be dry to read directions as to the forms of vouchers and the marks on Government stores; it may seem a little ridiculous for the Executive to inform the Imperial Parliament that there will be bell-ropes, blacking, and a mangle for the expedition; but it is right that the Government should give evidence of their anxious endeavours to provide for the wants of the soldiers who are to be employed on this arduous expedition. I do not suspect them of having acted on the maxim of the old Parliamentary tactician—"The greater the blue book, the less likely it is to be read," nor do I complain of their giving us any information which may appear superfluous;

but I wish to get that which is necessary and of the greatest importance. Your Lordships will remember that on Tuesday last the noble Earl (the Earl of Derby) answered a Question which, however, had not been put in this House, as to the incongruity of the declarations made by Lord Stanley on the 26th of July, and the announcement made in the Queen's Speech on the prorogation of Parliament on the 21st of August. The noble Earl recapitulated a portion of the speech of Lord Stanley, who, among other things, spoke of the difficulties of the expedition, and said—

> "An expedition to rescue the captives must in any case be expensive; that it must inevitably be attended with heavy loss of life, by climate if not by military operations; that it was possible that it might even lead to a massacre of the prisoners, and that, for aught we knew, it might be wholly unnecessary, since their detention being apparently a pure act of caprice, the same caprice might at any moment lead to their being again released, without effort on our part."—[3 *Hansard*, clxxxix. 250.]

Later on the Foreign Secretary said—

> "To obtain the release of these men by force is not an easy matter. . . . It would be madness to throw a British army into an unknown country, in a tropical climate, far from the sea, very far from its reserves and its supplies, without a full previous investigation as to the means of moving, feeding, and keeping them in health. That inquiry we look upon as an indispensable preliminary. . . . I do not think we should be called upon even now to give any pledge on the part of the Government as to an expedition, unless it is found to be practicable with only a reasonable expenditure of men and means."—[3 *Hansard*, clxxxix. 251-2.]

The noble Earl explained with reference to this, that such having been the doubts of Her Majesty's Government on the 26th of July, on the 13th of August information arrived which resolved those doubts, which opened to Ministers a reasonable prospect of success, and which induced them on the 19th to decide upon warlike measures, and to announce them on the 21st to a prorogued Parliament. Now, my Lords, I have carefully read the blue book, and I find no trace of such information. I find that on the 13th Her Majesty's Government received telegrams announcing what must have been pretty well anticipated, that the Indian Government could, if required, furnish in four months a well-equipped force of 12,000 men; but I find absolutely nothing which could have given the Government on the 13th of August that information which Lord Stanley so clearly stated only three or four weeks before was absolutely necessary as to the physical and moral state of Abyssinia and its inhabitants. I see the same complaint is urged in *The Times* newspaper of this morning, and a suggestion is made of the bare possibility of the information referred to by the noble Earl being Sir Henry Durand's Memorandum. This, however, cannot be, as the document referred to was not received until September. The only information which can by any possibility be regarded as that to which the noble Earl referred, unless we have been entirely kept in the dark, is contained in some correspondence between the War Office and the Foreign Office set forth in pages 29 and 58 of the blue book. The Under Secretary for War writes to the Secretary of State for India as follows:—

> "I am directed by Sir John Pakington to forward herewith a copy of a description of different routes in Abyssinia which has been compiled in the Topographical and Statistical Department of this office. These descriptions have been taken from the journies of travellers, and have been confined, in the first instance, to such as would give a general idea of the different lines of approach into the country which have been advocated."

The letter concludes with suggestions regarding other information which might be obtained if desired. On page 58 we have the reply from the War Office as follows:—

> "I am directed by Sir John Pakington to acknowledge the receipt of your letter of the 20th instant, and, with reference to the suggestion contained in it, that copies of the 'Pamphlet on Routes in Abyssinia' may be of great use to the India Office at this moment, I am to state, for Lord Stanley's information, that copies have been already forwarded to that office."

I can hardly believe that this is the information referred to; but it is clear that the Memorandum or pamphlet, whether we have looked for it in vain or not, is evidently highly thought of at the War Office and the Foreign Office. It would be read with avidity by Members of both Houses, as it probably bears exactly upon the points upon which we are most anxious to be informed. If satisfactory, nothing would give Parliament more readiness to acquiesce cheerfully in the demands of Her Majesty's Government. It is clear that if omitted it must have been from mere inadvertence on the part of those compiling the papers. I have therefore only to ask the noble Earl whether there is any objection to have this valuable Memorandum distributed to the Members of your Lordships' House?

THE EARL OF DERBY: I think the noble Earl who has just sat down (Earl Granville) was a Member of the Committee of last year which recommended that

Questions likely to give rise to discussion should not be raised in this House without notice; and the only notice the noble Earl has given is contained in a note to the Earl of Malmesbury, who, however, is unable to attend here this evening. For my own part, reading the notice given by the noble Earl to my noble Friend, I do not think it was one indicating an intention to enter into the merits of the Abyssinian Expedition, or the discrepancies which the noble Earl thinks he has found between the statement made by my noble Relative on the 26th July and the subsequent determination of the Government. The noble Earl, in his note to Lord Malmesbury, merely asked him to be present this evening in the House, in order that he might have an opportunity of asking him to lay on the table the pamphlet containing a description of the routes in Abyssinia. Lord Malmesbury sent the note to me, and I have not the slightest hesitation in saying that there will be no difficulty as to the production of the document referred to, and that it will be laid on the table at the earliest possible moment. The noble Earl will excuse me if I now decline to enter into any discussion, when I assure him that we shall be able to give full explanation at a proper time, and that the paper he asks for shall be laid on the table at the earliest possible moment.

EARL GRANVILLE: The recommendation of the Committee of last year was that Questions should not be put without notice, which were likely to lead to debate. It is clear that the Question I have put has not led to debate; I do not think it is likely to lead to debate; I think the information asked for is worth having, and the sooner we can have it the better.

THE EARL OF DERBY: The noble Earl will forgive me for reminding him that he opened his observations with the remark that my presence induced him to enter into a fuller explanation of the Question he proposed to raise than he had intended; and it is evident that he came down fully prepared with a number of papers to back his case. Seeing me here, in fact, he could not resist the temptation of putting forward a charge against the Government.

POSTAL COMMUNICATION WITH THE EAST—CONTRACT WITH THE PENINSULAR AND ORIENTAL STEAM COMPANY.—QUESTION.

LORD STANLEY OF ALDERLEY rose to ask a Question of the noble Duke the Postmaster General with reference to the Contract between the Post Office and the Peninsular and Oriental Steam Company. As the correspondence on the subject had not been placed on the table, his remarks would be brief. He noticed, however, that the expense of the service to and from India had been largely increased, and he feared the Government had not given everybody likely to be interested in such a contract full and timely notice to enable them to make tenders. The 20th of September was hardly early enough to publish particulars of such a contract as the postal service to India to be carried out on the 1st of February. He wished to raise two points with respect to the new contract made with the Peninsular and Oriental Company—first, the duration of the contract; and secondly, the absence of any preparations for conducting the service by the Brindisi route. Was not twelve years a very much longer period than had ever yet been contracted for, without a break, and was not it an objectionable period? During those twelve years the hands of the Post Office authorities would be tied; and the arrangement was doubly objectionable when, as he understood it, the Company had contracted to carry the mails between Marseilles and Alexandria, and by no other route, while it was well known that the Brindisi route was thirty-six hours shorter than the Marseilles. He wished to know, first, whether any arrangement had been made with regard to the service, in conformity with the declaration made to Parliament; and secondly, whether the contract was to be made for the whole term of twelve years, and with a practical guarantee of 6 per cent for the whole of that period?

THE DUKE OF MONTROSE said, that although the Papers on the subject had not been laid on the table of their Lordships' House, they had been presented to the other House of Parliament, and that they contained a copy of the contract and of the correspondence between the Post Office and the Treasury. The noble Lord had said that sufficient time had not been given in the notices issued by the Government. It was possible that it might have been better had more time been given; but he was not aware that any objection had been offered on that account by any of those who were likely to have tendered for the performance of the service. Sufficient time had been given to allow the notices being sent to India, to allow of tenders being sent by any Companies who might have been desirous of doing so. At one time it was even thought that it would be better to postpone the matter; but it was found that the Peninsular and Oriental Company demanded so high a price for the extension of their contract for six months, that it was thought better to issue the notices for tenders as they stood. The history of the private negotiation referred to by the noble Lord was this:—Although notice was given that tenders would be received for the performance of any portion or portions of the service, not a single Company tendered for such performance; and the Peninsular and Oriental Company, though they offered to do the whole, stated that they would not undertake any individual portion of the service apart from the remainder. The noble Lord regarded the sum which it was proposed to pay as immensely high, and he (the Duke of Montrose) therefore felt bound to allude to a few of the peculiarities from which that circumstance arose. In the first place, he might state—what was well known—that if the Government had not determined the contract, notice of its determination would have been given on the part of the Peninsular and Oriental Company, and therefore the Government thought fit to give that notice themselves, thinking the terms asked to be such that they could not continue the contract. The first tender of the Company —and at the same time no other tender was made—was for six years, at the rate of £500,000 per annum. He (the Duke of Montrose) thereon told the Directors that the offer was so high that he could not take it upon himself to recommend it to the Treasury, and it was very probable that the Treasury would not recommend its adoption to the House of Commons. He advised them, therefore, to re-consider their offer, and see if they could not make some reduction. He suggested also that possibly an extension of time might be an inducement; because there could be no doubt that if they were to have an extended service, and to increase the number of their vessels, they would naturally be anxious to have sufficient time to regain their extra expense. It resulted in this, that the Directors said that if the contract were given them for twelve years instead of six, they would undertake the service for £400,000 instead of £500,000. He thought their Lordships would see that this arrangement was, in reality, a very advantageous one. £500,000 for six years would amount to £3,000,000 of money, and if the contract were entered into for that period it was very doubtful whether, at the end of that time, the Peninsular and Oriental Company would renew their contract at a lower rate; but £400,000 for twelve years was £4,800,000. By contracting for the longer term they would effect a saving in the twelve years of £1,200,000. Of course, it would remain for the House of Commons to say whether they preferred to pay a very large sum for a short contract, or whether they would pay a smaller sum and extend the time; but he could not himself see the probability of meeting at the end of six years with any more advantageous offer. The Peninsular and Oriental Company would not undertake the service again at anything like the rate at which it had hitherto been performed. The Company had to incur a largely increased expenditure for coals, which they stated had of late been £70,000 a year, and they had not only been deprived to a great extent of one source of revenue arising from the carriage of specie, but had lost a great deal through competition with the French boats. So much, indeed, had they been affected by these and other causes that they had not been able to declare a dividend during the last year. With great fairness they stated that their books were open to inspection, and he (the Duke of Montrose) had accordingly requested Mr. Scudamore, the Assistant Secretary of the Post Office, to examine them. The result of the inspection showed that the Company could not continue the service at the rate hitherto paid. The service, as it would in future be performed, was a greatly improved one. For instance, instead of a service to Calcutta four times a month the service would be in future every week, so that there would be fifty-two instead of forty-eight services yearly. The Bombay fortnightly service would be converted into a weekly one, so that the increase would be from twenty-four to fifty-two. They would also have an additional service to China. Moreover, by having the weekly service to Bombay they would obtain an accelerated service to Calcutta, for the railway though not available for passenger traffic might be made use of for the carriage of letters. The merchants and the public of this country had always expressed a strong desire for additional postal service to India; but still, if these improvements were not desired the Peninsular and Oriental Company had engaged to make a proportionate reduction in the rate at which they would perform the service. The next point to which the noble Lord had adverted was the Brindisi route. He (the Duke of Montrose) did not take the same favourable view of that route as Colonel Tyler. The Brindisi route was attended with many disadvantages, though the completion of the tunnel would at some future time be a great argument in favour of its adoption. The harbour required great improvement; for passengers there was insufficient hotel accommodation, while the railway was only a single line for 500 miles, and every one connected with railway arrangements could testify that it was impossible to manage a large traffic on a single line with anything like regularity and punctuality. The noble Lord said that a saving of thirty-six hours would be effected by the adoption of the Brindisi route. By the arrangement, however, as now proposed—the vessels not calling at Malta, and going the direct route *viâ* Messina—there would be a saving of twenty-four hours. There was, moreover, a clause in the contract providing that in case the Government thought it desirable to change the Marseilles for the Brindisi route before the expiration of the twelve years, and any question arose between the Company and the Government, the matter should be referred to arbitration. Consequently, they had the power, if they thought it advisable to use it, of changing the route before the expiration of the contract. On the whole, he believed that the proposed arrangement with the Company might be regarded as satisfactory. He might say that it had never been the intention of the Post Office to throw the whole of this service into the hands of any foreign company. It was only intended, in the event of the service being cut up into different parts, to permit one portion of it to be taken up by a foreign company. There would be one additional service in the year to Australia.

House adjourned at a quarter before
Six o'clock, till To-morrow, a
quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, November 25, 1867.

MINUTES.]—NEW WRIT ISSUED—*For* Thetford, *v.* The Hon. Alexander Hugh Baring, Chiltern Hundreds.

GENERAL COMMITTEE—On Controverted Elections *appointed.*

PUBLIC BILLS—*Resolution in Committee*—Burials (Ireland).

Ordered—Burials (Ireland)*; Industrial Schools (Ireland)*; East London Museum Site.*

First Reading—Burials (Ireland)* [5]; Industrial Schools (Ireland)* [6]; East London Museum Site * [7].

Second Reading—Metropolitan Streets Act (1867) Amendment [2]; Drainage and Improvement of Lands (Ireland) Supplemental * [4].

THE PAPAL GOVERNMENT AND MR. ODO RUSSELL.—QUESTION.

SIR THOMAS LLOYD asked the Secretary of State for Foreign Affairs, Whether his attention has been drawn to a statement in the newspapers of a domiciliary visit having been made, by order of the Papal Government, at the house of Mr. Odo Russell, our acknowledged Agent at Rome; and what steps the noble Lord intends to take if such a report be substantiated?

LORD STANLEY: What has occurred in regard to the transaction referred to in the Question of the hon. Baronet is briefly as follows:—On Saturday, the 9th instant, Mr. Odo Russell being then at Florence, the Pontifical police entered and searched the Palazzo Chigi, in which he resides when at Rome. They declared that they were in search of concealed arms, and they searched the rooms minutely, but they did not touch Mr. Russell's papers or books. Mr. Russell, on arriving at Rome three or four days afterwards, learnt what had taken place, and he very properly lost no time in applying to Cardinal Antonelli for an explanation. Cardinal Antonelli replied that no perquisition, in the ordinary sense in which that word is understood, had been intended or had taken place; but that the police had received information that several Roman palaces, and among them the palace in question, had been marked out by the revolutionary party to be blown up with gunpowder in the same way as the Pontifical barracks had been blown up. Cardinal Antonelli added that the search he had ordered was therefore made not in consequence of any suspicions concerning the inmates, but to secure the safety of their property and lives. Mr. Russell stated that he considered that explanation satisfactory, and I concur in that view.

ARMY—THE CURRAGH CAMP. QUESTION.

Lord EUSTACE CECIL asked the Secretary of State for War, Whether the attention of the War Department has been drawn to the wretched state of the vagrant population in the immediate neighbourhood of the Curragh Camp; and, whether it is the intention of the Government this Session to extend the provisions of the Contagious Diseases Act to all camps and garrisons and sea-port towns in the United Kingdom?

Sir JOHN PAKINGTON replied, that his attention had been drawn for some time past to the state of the neighbourhood of the Curragh Camp, and he was sorry to say that his noble Friend had not used too strong an expression in designating it as wretched. He must, however, remind the noble Lord that the powers of the War Office at the Curragh were confined to the limits of the camp, and that it was for the local authorities to consider the condition of the population beyond those limits. The powers conferred by the Act referred to in the Question were not very well adapted to the condition of the Irish police, and it was therefore his intention in the course of the Session to ask the House to agree to an alteration of the Act, so as to enable the Irish Commissioners of police to exercise the same powers as were now exercised by the English Commissioners. The Contagious Diseases Act had not been applied to the Curragh because there was no hospital there. Great difficulty had been experienced in procuring a site for the necessary buildings; but through the liberality of the Duke of Leinster that difficulty had been now overcome, and it was hoped that an infirmary or hospital would be erected as soon as possible. With regard to the second part of the Question, he would remark that the Act was already in operation at Aldershot, where there was a hospital, and that hospitals were also in course of erection at Shorncliffe and Colchester. Until the result of this trial of the Act had been ascertained, he was not prepared to ask Parliament to go to the expense of extending its provisions to all camps and garrisons and sea-port towns in the United Kingdom.

Lord Stanley

THE POOR LAWS.—QUESTION.

Mr. CANDLISH asked the Secretary to the Poor Law Board, Whether it is his intention to introduce a Bill this Session to consolidate and amend the laws for the Relief of the Poor?

Mr. SCLATER-BOOTH said, it was his intention, as soon as possible after the Recess, to introduce a Bill for the amendment, but not for the consolidation, of the laws relating to the Relief of the Poor. Many high authorities were of opinion that at present it would be premature to attempt to consolidate the statutes relating to this subject. He might mention, however, that all those statutes up to the end of the year 1866 had been collected and edited in a form very compendious and easy of access by a gentleman highly qualified for the task.

RECOMMENDATIONS OF THE RITUAL COMMISSION.—QUESTION.

Mr. MONK asked the Secretary of State for the Home Department, Whether he is prepared to state what course Her Majesty's Government propose to take with a view to carry out the Recommendations contained in the First Report of the Ritual Commissioners? At the same time, he wished to state that he was sure the public would hear with satisfaction that the Commissioners had re-commenced their sittings, and that they intended to sit twice a week. [" Order! "]

Mr. GATHORNE HARDY said, he was not prepared to state that Her Majesty's Government had decided upon the course it would take. Neither it, nor anybody else was in a position to do so, for he did not think that the Commissioners had yet sufficiently reported on the subject.

THE GIBRALTAR SHIELD.—QUESTION.

General DUNNE asked the Secretary of State for War, Whether he will lay upon the table of the House the Report of the Committee which have lately tested the Target known as the Gibraltar Shield; and whether thirty-four of these Shields had, previous to the trial, been sent to Gibraltar and other Fortresses in our Colonies?

Sir JOHN PAKINGTON had no objection to lay the Report on the table. The latter part of the Question of his hon. and gallant Friend was substantially true. Thirty of these shields had been sent to

Malta and Gibraltar at the commencement of the present year, and four or five more were made with the intention of their being sent to Bermuda; and it was these latter which had been tried and had formed the subject of several notices in the newspapers. It was quite true that the shields were sent out before being perfectly tried, but the cause of so unusual a proceeding was as follows:—When the present Government assumed office in the summer of 1866 the attention of his right hon. and gallant Friend (General Peel) was drawn to the very unsatisfactory state of our defences at Malta and Gibraltar, and he at once gave instructions to send out heavy guns to these fortresses. The shields that were intended for the protection of these guns had to be constructed with the greatest possible expedition, on a plan which had to a certain extent received the sanction of the Iron-plate Committee. The experiments which had since been made had been reported not to be generally successful, and so much attention had been directed to the matter that he had thought it his duty to appoint a Committee to inquire into all the circumstances. Of that Committee his hon. and gallant Friend the Member for Stamford (Sir John Hay) had consented to act as Chairman.

CRETE.—QUESTION.

MR. POWELL asked the Secretary of State for Foreign Affairs, Whether any Correspondence respecting the disturbances in Crete has taken place since the dates of Papers already presented to Parliament; whether it is intended to lay upon the table any further Papers on this subject previous to the Christmas Recess; and, whether, should there have been such Correspondence, Communications have passed between the Porte and the British Government respecting these events or the future settlement of the Island?

LORD STANLEY: There is some further Correspondence on the subject of Crete, which I shall be prepared to lay on the table of the House in a few days. With regard to the last part of the Question, the best thing I can do is to refer the hon. Member to the Papers, which will be in his hands shortly.

CLIFTON AND BEDMINSTER WORKHOUSE INFIRMARIES.—QUESTION.

MR. GOSCHEN asked the Secretary of the Poor Law Board, Whether the attention of the Board has been directed to the defects alleged by the Commissioners of the "British Medical Journal" to exist in the Clifton and Bedminster Workhouse Infirmaries, and to the expressed desire of the guardians of Bedminster and Clifton that the state of those houses should form the subject of a formal Poor Law inquiry; and whether the Board propose to order such an inquiry?

MR. SCLATER-BOOTH said, the attention of the Poor Law Board had been directed to the statements made in the *British Medical Journal* respecting the two workhouse infirmaries in question. He thought the House would be of opinion that so expensive and protracted an inquiry as a formal investigation must needs be ought not to be ordered by the Poor Law Board without due consideration and without overwhelming necessity. He could only say that, as at present advised, the Poor Law Board did not intend to order any formal inquiry to be made in either case. With regard to Clifton, the correspondence was not quite closed, the demand for the inquiry came from the guardians, and the Board had every reason to believe that the condition of the infirmary was satisfactory. A correspondence was also still going on with regard to Bedminster. He might inform the right hon. Gentleman that, in addition to the ordinary Reports of the Inspectors which had been presented to the House, a Report upon the Bedminster Workhouse had recently been made to the Poor Law Board by their medical adviser, Dr. Smith, who in the autumn of last year was instructed to visit a number of workhouses, with a view of testing the Reports of the regular Inspectors. The Report of Dr. Smith would soon be laid on the tables of both Houses. Although the question was not absolutely decided, his impression was that a formal inquiry was not necessary in either case.

THE BRITISH MUSEUM.—QUESTION.

MR. LAYARD asked the Chancellor of the Exchequer, Whether it is his intention to propose, during the present Session of Parliament, any measure for the better administration of the British Museum and other Institutions in the United Kingdom connected with Science and Art?

THE CHANCELLOR OF THE EXCHEQUER said, he had no intention of bringing forward a measure of that kind; but he should be happy indeed to see the measure of the hon. Gentleman, for he was sure there was no one who could offer suggestions more valuable on any question of science and art. He was occupied at present upon a measure of a more limited kind, which would effect some separation of the collections in the British Museum, having promised last Session to give the subject his attention.

PARIS EXHIBITION PURCHASES.

QUESTION.

MR. LAYARD asked the Secretary to the Treasury, Whether the sum of £15,000 voted by Parliament for purchases of objects in the Paris Exhibition, in consequence of a Report of the Select Committee appointed last Session, has been expended; and, if not, why not?

LORD ROBERT MONTAGU said, it was the opinion of the House last Session that we should expend on purchases no more than we could save out of the Vote for the Exhibition; and, as we could not feel sure of a greater surplus than £4,775, that was all that we have as yet expended with that object.

POSTAGE RATES TO INDIA.—QUESTION.

SIR HENRY RAWLINSON asked the Secretary to the Treasury, Whether, in the event of the new proposed Contract with the Peninsular and Oriental Company for the Mail Service to the East being approved by the Legislature, it is the intention of Her Majesty's Government to increase the rates of postage on overland letters between England and India?

MR. HUNT said, the same Question was put to him last Session, and he then intimated that it was the intention of the Government, when the new service commenced, to increase the rate of postage to 3*d.* per half-ounce, and that intention still continued.

RATING UNDER THE REPRESENTATION OF THE PEOPLE ACT.—QUESTION.

SIR WILLIAM HUTT asked the Attorney General, Whether, under the provisions of "The Representation of the People Act," the Overseers of the Poor are required to place on the rate book the names of all the Occupiers of Tenements whose Rates before the passing of that Act were paid by the Owner according to the provisions of the Small Tenement Act?

THE ATTORNEY GENERAL: I think the solution of the Question will be found in the 7th section of the Act of last Session, and in the Interpretation Clause. The former says—

> "The full rateable Value of every Dwelling House or other separate Tenement, and the full Rate in the Pound payable by the Occupier, and the Name of the Occupier, shall be entered in the Rate Book. Where the Dwelling House or Tenement shall be wholly let out in Apartments or Lodgings not separately rated, the Owner of such Dwelling House or Tenement shall be rated in respect thereof to the Poor Rate."

Therefore, in cases to which the exception does not apply, it will be the duty of the overseers to put the occupiers on the rate book.

SUPPLY.

Resolution, "That a Supply be granted to Her Majesty," *reported*, and *agreed to*, *Nemine Contradicente.*

SUPPLY—Committee appointed for *Tomorrow.*

METROPOLITAN STREETS ACT (1867) AMENDMENT BILL—[BILL 2.]

(*Mr. Secretary Gathorne Hardy, Sir J. Fergusson*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gathorne Hardy.*)

MR. AYRTON said, he wished to suggest some Amendments which it was desirable to discuss at once rather than in Committee. Many years ago the streets of the metropolis were regulated by the General Police Act, which prohibited the obstruction of the streets by goods, barrows, &c. It put all persons on a perfect equality, and anyone violating the law might, on refusing to comply with it, be apprehended by the police or summoned by private persons. Under this Act, some four or five years ago, a contention arose in consequence of the very summary measures adopted by the police. They began driving away itinerant dealers and stall-keepers and summoning them. Agitation and deputations to the authorities followed, and he was asked to help in obtaining redress for what was considered a grievance, that grievance being that the supposed offenders should be disturbed by the police when nobody else complained. In consequence of his representations to Sir Richard Mayne, an arrangement was come to, that persons with barrows and trucks should not be disturbed by the police except on the complaint of the occupier of a house, or of persons who alleged that a thoroughfare was impeded. That arrangement answered perfectly well. After this an Act was passed placing all open spaces, if neglected by their owners, under the local authorities. It was certainly difficult to apply the Act, because the phrase—rather a vague one—was that the space must be "ornamental." That law had left a large number of open spaces in towns untouched, except by the Police Act. Now, the Act of last Session summarily deprived the occupiers and owners of tenements of any rights of property over the open spaces between the pavements in front of their houses and the high road. He had called the attention of the Secretary of State to this provision whilst the Bill was in Committee, and the Secretary of State had admitted that the Bill as it came down from the Lords went too far; but the Act as it was passed absolutely abolished all claim of any person by prescription or otherwise to use this land unless it was enclosed by a railing and no one had been in the habit of passing over it. Some persons complained of the inconvenience to which this Act subjected them; and now a Bill was introduced to exempt those persons, and those alone, from the operation of the Act last year. Costermongers, street hawkers, and itinerant dealers were to have the sole privilege of obstructing the thoroughfare as much as they pleased, subject only to the control of the police. Now, the Bill would raise many difficulties. In the first place, what was a costermonger? It was a very loose word properly used to describe a fruiterer, so that any man who dealt in fruit might hereafter incumber the footway, but not if he dealt in any other article. "Hawker" had a recognised meaning, and referred to persons who were licensed. But licensed hawkers did not deal in these things at all; and "itinerant dealers" did not remain stationary. Whatever might be the meaning of the clause, its results would be most extravagant. The proper mode of dealing with the question was that a person selling goods in the streets should not be interfered with unless the occupier of the house before which he stationed himself, or the persons using the streets, or the local authorities, made some objection. If objection were raised in that way, the case should be considered by a judicial authority; but to give entire authority to the police was most improper. Nothing could be worse than to confer upon a police-officer a kind of patronage over a comparatively low class of society. In what did it end? The police-officer would practically let out these stands and levy blackmail on the costermongers. The proper remedy was to repeal the 6th clause in the Act of last year, which was wholly unnecessary.

MR. LABOUCHERE said, that the hasty legislation of last Session could not be cured by legislation of a character equally hasty. There was no reason why special rights should be given to costermongers, at the expense of many other persons; and the fact was that many plots of ground in London were now being enclosed for fear the costermongers should squat there. These men did not pay rates or taxes, and medical men said they did more harm than good, for, though their goods were cheaper, they often sold vegetables and fish which were unfit for consumption. Last Session he gave notice to move to refer the Bill to a Select Committee. He thought the present Bill should be directed simply to repealing the 6th section of that of last year, and that in February the Home Secretary should introduce a measure dealing with the whole question, and refer it to a Select Committee in the first instance.

MR. GATHORNE HARDY said, he did not see that there was any interference with the rights of property under the section contained in this Bill, for the open spaces referred to had been so long neglected by the owners and occupiers, as to give the public the right to walk over them. Neither was there any hardship in the Commissioners of Police appropriating certain open spaces to costermongers in the same way as commissionaires and shoeblacks were allowed to be stationed in different places. Under the Metropolitan Streets Act the regulation of the traffic of the metropolis was practically handed over to the police, and for that reason the 6th clause seemed as much in accordance with the spirit of the Act as the other clauses. It was not, however, for one policeman to make regulations; it was for the Commissioners of Police to lay down general rules for the purposes of traffic. He presumed that it was the intention of Parliament in passing the Act of last year that the police should have a considerable discretion with a view to regulate the traffic in such a way as to prevent obstructions or hindrances to free circulation, and therefore it was that certain powers were proposed to be given to the police under the Bill now before the House. With respect to the spaces between the footpaths and the roads, to which the hon. Member for Middlesex (Mr. Labouchere) had referred, they were placed under very peculiar circumstances. In many places the space between the footway and the road remained open for public traffic; in some cases, and under present circumstances, occupiers had begun to enclose them, acting on a *dictum* of one of the magistrates of the police courts. But they could not take away the right acquired by the public of going over that part of the street when they had agreed to that condition with the Metropolitan Board of Works, even though it had not before become part of the footway by being left open to passengers. Of course, the Bill before the House was open to improvement; but he confessed the suggestions made by the hon. and learned Gentleman did not appear to him to apply. The section of the Act of last year was a good section, but the evil of it was its extreme stringency. Any person passing along the street would be able to lay information against the persons who exposed their goods for sale; and it was with a view to get rid of that and to give a discretionary power to the police that the present Bill was introduced. He was ready to discuss with the hon. Gentleman any mode in which it might be possible to render the Bill more efficient; but as it stood it would affect itinerant tradesmen in a very different way from that in which it would affect the fixed traders of the metropolis.

Sir GEORGE BOWYER said, that with respect to the spaces between the footpaths and the roads many of them were freeholds, and whether those freeholds had been dedicated to the public was a question for a Court of Law to decide, and ought not to be meddled with by the Legislature. It would be exceedingly desirable to deal with this Bill in such a manner as to repeal that portion of the Act of last Session which related to open spaces between the footway and the carriage way. As to the case of the costermongers and other small traders, the clauses of that Act were no doubt very oppressive. The Act was passed in a hurry, and Parliament was so full of Reform that it could not attend to anything else. He did not think this Bill dealt in a proper manner with itinerant traders, who were a very numerous, industrious, and respectable class. The tendency of police regulations was too much to interfere with the poor. The easier this traffic was made the better; for when the industry of the poor was destroyed they were driven into evil courses or into the workhouses, and then they cost the country money and in one case something more. The more the principle of free trade was carried out with respect to the poor the better. He did not approve the arbitrary power which this Bill gave to the Commissioners of Police to make regulations with respect to a very large class. In this metropolis it was estimated that there were 50,000 people engaged in these humble trades, and to give one man arbitrary power over such a multitude without any appeal or mode of restraint was a thing which the House ought not to do. He did not believe that Sir Richard Mayne or Colonel Fraser would do anything which they thought wrong; but they might make regulations which to them might appear "exceedingly useful," but which might interfere very much with the industry of these poor people. This power was unnecessary—the common law was quite sufficient to prevent obstruction in any thoroughfare. But it was one thing to prevent obstruction in thoroughfares and another to prevent people having the full use of them. One use of thoroughfares was to enable these poor people to go along them and obtain a livelihood by selling articles, and if in some cases obstruction was caused, it was better to put up with a little, to live and let live, than to push matters too far against the poor. The proper course to take would be to repeal the 6th section altogether, and he begged to give notice that when the Bill went into Committee he should move an Amendment to that effect.

Mr. Alderman LAWRENCE said, that in order to amend the Act of last Session, which did an injustice to one very large class in the community, it was proposed by this Bill to do injustice to another. By the Act of last year it was summarily decided that all the spaces between the footpath and the roadway were to be considered part of the footpath; by the present Bill all rights, whether of prescription or otherwise, were to be at once done away with. Instead of repealing the objectionable clauses of the Bill of last year and allowing the matter to be dealt with under the common law, here was a Bill which said that the Act of last year should be carried out in every case except that of costermongers and itinerant traders—the real fact being that the space in question was part of the premises of the owners of the houses. This Bill proposed to reinstate the costermonger, but not to allow the owner of the house to expose his goods on his own premises before his own house. The police were to have full power to permit costermongers to sell goods in front of another man's house —perhaps the very same articles in which the shopkeeper dealt—and vend them to the annoyance and perhaps injury of the shopkeeper. But if a man were, even in unloading, to allow his goods to remain in the open space before his door until he should bring them into his premises he would be liable to a penalty. The legislation of last year took place by the advice of the police and at the suggestion of Sir Richard Mayne, and here was another suggestion which would land them in another difficulty. The simple way out of the difficulty was to repeal the 6th section of the Bill of last year.

Mr. LOCKE also recommended that the right hon. Gentleman should confine the measure to the simple repeal of the 6th clause of the Act of last year. In some cases a right existed on the part of shopkeepers to use the open spaces, and it was unjust to sweep such rights away. He would repeat his suggestion to defer the operation of the Act till the close of the present Session, and meanwhile to give all the parties interested an opportunity of being heard before a Select Committee.

Motion *agreed to*.

Bill read the second time, and *committed* for *Thursday.*

ABYSSINIAN EXPEDITION.

Estimate *presented*,—of the Sum required to be voted towards defraying the Expenses of the Expedition to Abyssinia beyond the ordinary Grants of Parliament [by Command]; referred to the Committee of Supply, and to be *printed*. [No. 8.]

CONTROVERTED ELECTIONS.

Mr. Speaker acquainted the House, that his Warrant for the appointment of Members to serve on the General Committee of Elections was upon the Table :—Warrant read as followeth :

Pursuant to the provisions of "The Election Petitions Act, 1848," I do hereby appoint — Samuel Whitbread, esquire, Member for the Borough of Bedford ; James Clay, esquire, Member for the Town of Kingston upon Hull ; the Honourable Edward Frederic Leveson Gower, Member for the Borough of Bodmin ; Sir Frederick William Heygate, baronet, Member for the County of Londonderry ; Sir William Stirling-Maxwell, baronet, Member for the County of Perth ; and the Honourable Algernon Fulke Egerton, Member for the Southern Division of the County of Lancaster—to be Members of the General Committee of Elections for the present Session: — Given under my hand this twenty-fifth day of November, 1867.

J. E. Denison, Speaker.

BURIALS (IRELAND) BILL.

Considered in Committee:

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law which regulates the Burials of Persons in Ireland not belonging to the Established Church.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Monsell and Mr. Sullivan.

Bill *presented*, and read the first time. [Bill 5.]

INDUSTRIAL SCHOOLS (IRELAND) BILL.

On Motion of The O'Conor Don, Bill to extend the Industrial Schools Act to Ireland, *ordered* to be brought in by The O'Conor Don, Mr. Monsell, and Mr. Leader.

Bill *presented*, and read the first time. [Bill 6.]

EAST LONDON MUSEUM SITE BILL.

On Motion of Lord Robert Montagu, Bill to provide for the acquisition of a Site for the East London Museum, *ordered* to be brought in by Lord Robert Montagu, Lord John Manners, Mr. Ayrton, and Mr. Butler.

Bill *presented*, and read the first time. [Bill 7.]

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Tuesday, November 26, 1867.

CONVEYANCE OF TROOPS— THE WAR OFFICE AND THE INDIA OFFICE.—QUESTION.

The Earl of AIRLIE put a Question to the Under Secretary for War as to the accuracy of a statement which had appeared in the newspapers with reference to the manner in which certain troops had been landed in this country. It was stated that the steam transport *Crocodile* had arrived off Plymouth with the second battalion of the Rifle Brigade on their return from the Mediterranean, and that although the ultimate destination of the troops was Plymouth, the Admiralty, for some unknown reasons, would not permit them to land there; and the consequence was that the *Crocodile* went on to Portsmouth, and the troops having disembarked there were sent by special train to Plymouth at a cost, the newspapers reported, of several hundred, and perhaps of £1,000. The same paragraph stated that an Hussar regiment which had been ordered from Exeter to Alexandria, instead of being embarked at Plymouth, was sent to Portsmouth and there put on board a transport. If this were true it showed a want of concert between the two Departments, which, if continued, would materially add to the cost of our military movements, and might augment the expenses attending the Abyssinian Expedition, which would be costly enough without unnecessary expenditure such as this.

THE EARL OF LONGFORD said, that both cases had been correctly stated by the noble Earl. The new transport service of Indian reliefs *viâ* Egypt was in the hands of the Government of India, and the officers who conducted the transport service under its direction had up to this time acted contrary to the remonstrances of the War Office, and insisted that Portsmouth should be the only port of communication with India as regards the transport of troops. Representations had been made by the War Department to the Government of India, but they had hitherto failed to convince the Indian Government of the expediency of altering their course. Communications on the subject were, however, still being carried on.

House adjourned at a quarter past Five o'clock, to Thursday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, November 26, 1867.

MINUTES.]—SUPPLY—*considered in Committee*—£2,000,000, Consolidated Fund.

PUBLIC BILLS—*Ordered*—Sales of Reversions*; Turnpike Trusts*; Railways (Guards' and Passengers' Communication).*

First Reading—Sales of Reversions* [8]; Turnpike Trusts* [9].

Committee—Drainage and Improvement of Lands (Ireland) Supplemental* [4].

Report—Drainage and Improvement of Lands (Ireland) Supplemental* [4].

ADMIRALTY JURISDICTION BILL.

QUESTION.

MR. NORWOOD said, he wished to ask the Vice President of the Board of Trade Whether it is the intention of the Government to re-introduce the Admiralty Jurisdiction Bill of last Session, or a measure to a similar purport?

MR. STEPHEN CAVE replied, that a Royal Commission was issued in September last to inquire into the operation and effect of the present constitution of various Courts of Law and Equity, and of the High Court of Admiralty, and the Admiralty Court of the Cinque Ports. Pending the Report of that Commission it would be obviously inexpedient to introduce a measure for altering the jurisdiction of the Court of Admiralty, such as the Bill of last Session to which the hon. Member referred. It was, however, under the consideration of Her Majesty's Government whether clauses might not be inserted in the Bill for amending and consolidating the Acts relating to Merchant Shipping for the purpose of conferring additional Admiralty jurisdiction on Local Courts in certain cases.

CAPITAL PUNISHMENT WITHIN PRISONS BILL.—QUESTION.

MR. HIBBERT said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to introduce the Capital Punishment within Prisons Bill during the present Session?

MR. GATHORNE HARDY said, in reply, that it was his intention to ask leave, after the Recess, to introduce the Capital Punishment within Prisons Bill.

INCOME TAX IN DUDLEY.—QUESTION.

MR. H. B. SHERIDAN said, he wished to ask the Secretary to the Treasury, Whether he has received any information as to the great dissatisfaction prevailing in Dudley in consequence of the mode in which the Income Tax has been levied for some time past; whether it has been reported to him that the system of surcharging manufacturers and others pursued in Dudley is gradually shutting up the great establishments of the town; whether it is true that the works known as the Constitution Hill Works, conducted by persons of the highest respectability, at which between 300 and 400 men were employed, have been closed within the last few days in consequence of the Local Commissioners insisting upon what was termed a vexatious system of surcharging; and whether there will be any objection to produce the correspondence which has taken place in reference to this case, and the various other complaints which have from time to time been made by persons in Dudley to the Local Commissioners and the Commissioners of Inland Revenue, and between the Local Commissioners and the Commissioners of Inland Revenue, together with copies of any Memorials or Petitions presented to the Treasury or the Inland Revenue from the people of Dudley on the same subject?

MR. HUNT replied, that in December last a meeting was called by public requisition at Dudley on the subject referred to in the Question. The hon. Gentleman himself left at the Treasury a copy of the Resolutions passed at that meeting, and they were immediately sent to Somerset House, in consequence of which the Surveyor of Taxes, the chief officer of that department, was directed to proceed to Dudley without delay, and to institute an inquiry into the subject. The inquiry, notice of which was given to the Mayor of Dudley, accordingly took place, but the Report of the Surveyor General did not at all confirm the statements contained in the Resolutions. If the hon. Gentleman chose to move for the correspondence which had taken place on the subject, there would be no objection to lay it upon the table of the House. With regard to the second Question it had not been reported to him that the system of surcharging manufacturers and others pursued in Dudley was gradually shutting up the great establishments in that town. As to the third Question — whether it was true that the works known as the Constitution Hill Works, conducted by persons of the highest respectability, at which between 300 and 400 men were employed, had been closed within the last few days, in consequence of the Local Commissioners insisting upon what was termed a vexatious system of surcharging, he had no opportunity of knowing the truth of the allegation. He had ascertained, however, that the owners of the works in question, were surcharged to the amount of £900, and called upon to pay an additional tax of £15 a year. The works were subsequently closed; but whether that was in consequence of the additional tax of £15 being levied he was unable to say. With regard to the correspondence between persons in Dudley and the Local Commissioners, he might remark that the Treasury had no control over that correspondence, nor any power to call for its production.

MR. H. B. SHERIDAN: I beg leave to give notice that on an early day I will move for a copy of the Correspondence with the Local Commissioners.

LIBEL BILL.—QUESTION.

MR. NEWDEGATE said, he would beg to ask the hon. Baronet the Member for Clare, Whether he will postpone the Second Reading of the Libel Bill, which stands for the following day, the Bill itself having only been delivered that morning?

SIR COLMAN O'LOGHLEN: Sir, if it were a new Bill, I should be most anxious to comply with the request of the hon. Member; but as it is substantially identical with that which was read a third time on the 7th of August last by a majority of 79 to 18, and as I am anxious to get it up as soon as possible to the House of Lords, I shall certainly go on with the second reading to-morrow.

MR. NEWDEGATE: Then in that case I shall move to postpone the second reading for a fortnight.

ABYSSINIAN EXPEDITION—EUROPEAN SUBALTERN OFFICERS.—QUESTION.

COLONEL SYKES said, he would beg to ask the Secretary of State for India, Whether there is any and what foundation for the statement in the letter of the Correspondent of *The Times*, dated Bombay, 14th October, and in the *Madras Times*, dated 8th October, that Major General Napier had made a requisition to the Madras Government for European Subaltern Officers to be attached to the Native Regiments proceeding with the Expedition to Abyssinia and was told that the Madras Government had not any Subaltern Officers to spare; and, whether he will lay upon the table a Return of the number of European Officers with each Native Regiment in the Expedition, and the strength in Native Commissioned and Non-commissioned Officers and Men of each Regiment?

SIR STAFFORD NORTHCOTE: Sir, I have received no official or private communication to the effect referred to in the Question of my hon. and gallant Friend. All the information we have received is that the Madras Government have, at the request of Sir Robert Napier, furnished half the Engineer officers and five Commissariat officers. As to the Return for which the hon. and gallant Gentleman asks we have not at present the materials necessary for giving such a Return, but if he will move for it, it shall be presented as soon as we can procure the requisite information.

tion of the difficulty. Although he knew very well how to assume, when any difficulty arose, language of an amicable character, still it was impossible not to observe that there was a consistency in his conduct; and up to the moment when we had to consider the question, no one—with one exception, which, when examined, will prove no real exception to the rule—who had entered his dominions had been allowed to leave them. It resembled the classic cave; there were no signs whatever of returning footsteps. The Consul had been detained, imprisoned for years, and there were many other persons who bore no allegiance to Her Majesty, but whose condition necessarily and naturally excited the sympathies of the English people and Government, who were also detained; and though it is true, as I shall presently mention, that one individual was permitted to leave Abyssinia on the business of the King, with the view of communicating with this country, he left behind him the sacred hostages of a wife and children, which would in ninety-nine cases out of a hundred secure—and which did secure—the return of the Envoy. Under such circumstances, when Her Majesty's Government had considered the question, they were impressed with a strong feeling that any attempt at further means of conciliation were not likely to have a very happy result. But they were disposed—and I think everyone in their position would have been disposed—to exhaust every possible means of obtaining the freedom of these persons, especially those who represented the Majesty of the country, before resorting to force. They were not blind—and I should think no one in this country could be—to the great injury which must accrue from the indignity attaching to such a state of affairs. But while they were hesitating as to the course they should take an event occurred, almost at the time when they were in deliberation, which afforded them an occasion for making one more effort. They would not have invented it themselves, but they did not think, after due deliberation, they ought to deprive themselves of the advantage which might result therefrom. About the 12th of July last, a German missionary, who had been one of the captives in Abyssinia, was permitted by the King, or rather was sent by the King at his own suggestion, on a mission to this country with a letter from the King to Her Majesty, and with other marks of the King's confidence, in order that he might obtain certain machinery, and a number of skilled artizans to work it, and to assist him in his operations, and there were expressions on the part of the King of so friendly a character, that it was hoped that if we complied with his demands, a favourable result would be obtained, and the great object of the country and the Government in obtaining the release of the prisoners secured. At that time a gentleman, who upon this subject from his local experience was an authority of the highest class, our Resident in Aden, happened to be in England; and he, a man of excellent judgment and not likely to be swayed by any violent prejudices in the matter, was strongly of opinion that a most favourable opportunity had arisen for obtaining the release of the captives, if only this mission, peculiar as was its character—consisting only of a released captive—were treated with consideration, and the advances of the King, notwithstanding his previous conduct, were met with cordiality and confidence. Under these circumstances, Her Majesty most graciously consented even to give a personal audience to the German missionary who came over from King Theodore; for it was considered to be of the highest importance that upon his return he should be able to say to that monarch that he had actually seen and conversed with our Sovereign. Her Majesty was further graciously pleased to place herself again in personal communication with King Theodore, and a letter under the Sign Manual was intrusted to Mr. Flad by Her Majesty. The greatest care was taken that the King should not be disappointed with respect to the articles he desired, and the artizans selected were the best that could be obtained, both with respect to their practical knowledge and skill and their general conduct and character. Every means, therefore, were taken for the accomplishment of the wishes of the King of Abyssinia. And as our Resident at Aden returned about the same time, it was considered a great advantage that he should have the management of the transaction. There appeared then at that time to be considerable hope that there would be a happy consummation.

The House is perfectly aware from the Papers placed in their hands, and no doubt from the general interest which for a long time the subject has commanded throughout the country, of what has been the result of this last effort. Mr. Flad returned to Abyssinia; but before he arrived in the country the conduct of the King had become extremely violent and tyrannical, the indignities offered to Her Majesty's representative, Mr. Rassam, had been aggravated, and the prospect of obtaining the object we had in view was certainly not so favourable as at one time it had appeared to be. I think it was in October, late in the autumn of 1866, when Mr. Flad arrived in Abyssinia on his return. Meanwhile it had been found that the King would not release the prisoners ; and our Resident at Aden, who had returned to his post, and who had, as I have stated, at first anticipated the success of the mission, changed his opinion on receiving this information, and strongly advised Her Majesty's Ministers to insist on the redress they had already demanded — the immediate relief of the prisoners. The King of Abyssinia would give us no satisfaction in that respect. The year 1867 had commenced while there was still some hope of the negotiations being successful ; but it was advancing, and it was at last fairly concluded by all those whose judgment was likely to influence us that it was hopeless to expect that redress would be obtained. In the spring Her Majesty's Government, thinking that the question ought to be brought to a more intelligible conclusion, forwarded to the King of Abyssinia, through the Foreign Secretary, a letter, which has been described as an *ultimatum*, and which may be so considered. Even if we had resolved upon resorting to force, it was impossible to resort to it then, because the ultimate decision of the King not to release the prisoners must have been come to early in the year, and at the commencement of the season, which in that country is not merely unfavourable to military operations, but during which military movements are impossible. I think it was about the middle of the month of April that my noble Friend transmitted to King Theodore a letter, giving him three months in which to release the prisoners, and stating that unless they were restored within that period all friendship between Her Majesty and the King of Abyssinia must cease. We were informed that the answer to that *ultimatum* might probably be counted upon in the middle of the month of August ; and I have endeavoured, avoiding prolixity, to recall to the recollection of the House —no doubt familiar with the details— the state of affairs up to the time when the *ultimatum* was transmitted. During the months of June and July especially Her Majesty's Government, not relinquishing all hope of the King's complying with their request at the end of three months—but, I must fairly acknowledge to the House, not being at any moment sanguine as to the consequences—during that interval Her Majesty's Government, while not omitting any opportunity, when opportunity offered, of attempting to accomplish their end by peaceful means, began to prepare for an event which they contemplated with as much reluctance as any hon. Gentleman in this House, but which they felt that ultimately the interests of this country might absolutely demand. They therefore opened the necessary communications with the different Departments of the Government connected with the fitting out of an expedition, and they communicated especially with the Governor of Bombay on the subject. These communications were extremely active towards the end of July, when an hon. Gentleman, a Member of this House (Mr. H. Seymour), gave notice of a Motion on the subject. It was, no doubt, inconvenient at that moment to the Government that the question should be brought under the consideration of Parliament ; but we did not intimate that feeling, and for two reasons —first, because it would not have been advantageous to the public service that we should have given in detail our reasons for wishing that the subject should not be discussed ; but, secondly and mainly, because we were satisfied as a general rule it is advantageous that all subjects of commanding interest should be discussed in this House. The discusssion took place, and the opinions of the Government were represented by my noble Friend the Secretary of State (Lord Stanley). The speech that he made on that occasion appeared to me to be distinguished by that reserve which becomes a Minister speaking upon so critical a matter; but, to my mind, it entirely and faithfully represented the feelings of the Government and the position of the question according to their view. I mention that because I have seen a great deal of ingenious criticism upon the speech of my noble Friend, by which an inference is sought to be drawn that the opinions which the Government then expressed are inconsistent with their subsequent conduct. There is no doubt if you take the speech of my noble Friend and pick out extracts from one part and connect them with expressions from another—which I shall not call "garbling," because that is an offensive word, but which is a mode of selection very fashionable at the present day—you may not find it very difficult to prove that my noble Friend was opposed to any recourse to force under the circumstances in which we found ourselves. At the same time I will undertake to produce the speech of my noble Friend, and, by a similar process to that to which I have adverted, I will not only prove that he was in favour of having recourse to force, but that he announced that an expedition was preparing, and courted the responsibility which, under the circumstances, would devolve upon himself and his Friends. But it is highly desirable in a discusssion of this nature that we should proceed with perfect fairness and I will therefore tell the House what was the exact view of the Government. It was, to my mind, strictly and faithfully represented by the Secretary of State upon the 26th of July. The Government had for a considerable period, then, been making inquiries and preparations as far as regarded the obtaining of information necessary for fitting out the expedition. Her Majesty's Government were at that time impressed very much with the feeling that it might be too late in this year to have recourse to force, and it was absolutely necessary that we should not prematurely announce that we were going to fit out an expedition or have recourse to any extreme proceedings unless we were prepared to act immediately on the announcement. We considered that if the state of affairs was such as not only to justify but absolutely to call for a determined interference on our part, such an announcement not being followed up immediately in a practical manner would have the most injurious effect upon the position of the prisoners, and certainly would not tend to that vindication of the honour of the country which we desired. Now, between that period when that representation of our policy was made by the Secretary of State and the period when Her Majesty addressed the Houses of Parliament at the prorogation, a considerable amount of information had reached the Government. Three days after the speech of the Secretary of State we received an absolute declaration on the part of the Governor of Bombay that he would undertake that the expedition should be completely ready this year provided certain conditions which he pointed out could be complied with on our part. We had no difficulty in complying with those conditions. Therefore, even in the course of three days, the position of the Government was considerably influenced by the information received. But there was also other information for which we had asked, and which we had taken measures to obtain, relative to the coast and the condition of the country. That information also reached us at that time, and was calculated materially to influence the determination we might be called upon to arrive at. Our position at the time of the discussion was one of considerable difficulty, as I have shown the House, because, although we were not prepared to come to a final determination until we received some precise information that we expected, and although we could not formally come to that determination until we received the answer of the King, which was looked for at that time; yet it was practically impossible to postpone our decision, either for the arrival of particular information, or the letter of the King, because if it had been necessary in the middle of August to act, unless we had made some previous preparation another year would be lost. That was the position of the Government at the time. Well, under these circumstances, after the arrival of the information given by the Governor of Bombay—who undertook that everything should be prepared for an expedition in good time—we resolved to make what I may call "provisional preparations;" and we made preparations in the manner described by the Secretary of State for India in a letter to the Governor of Bombay which will be found in the blue book; and he made a still more intimate communication in a private letter. The Governor of Bombay was advised to take all the steps necessary for the conveyance of troops, being informed at the same time that the greatest economy was to be employed, and that his arrangements should be made in such a way that if it was found ultimately necessary that the expedition should not take place in the present year they might serve for the year 1868. That was the course we pursued from the end of the last week in July until our final determination was taken—because had we not followed that course it would have been impossible to have acted in 1867. I think, whatever difference of opinion there may be as to the policy or impolicy of that expedition, all will agree that if we were to act at all the sooner we acted the better.

Well, under these circumstances, in the middle of the month of August, when the Committee of Supply had been closed several days — when, in fact, so far as public business was concerned, this House had ceased to assemble, and preparations were making for the prorogation—we received from the Resident at Aden authentic information that the King of Abyssinia had rejected the *ultimatum* of my noble Friend. The letter in which that information was conveyed appears in the blue book, which is in the hands of hon. Gentlemen. It is a letter from Colonel Merewether, dated the 26th of July, and was received on the 13th of August. In consequence of the arrival of that letter Her Majesty's Government had to deliberate upon the general question. They had to deliberate upon it with the advantage of all the information they had received, with the conviction that with becoming energy an expedition, and a suitable expedition, could be fitted out to act in the present year. They believed that the interests of this country required that the honour of our Sovereign should be vindicated. I will not dwell upon the high duty of rescuing from captivity the subjects of Her Majesty, because really that consideration is involved in the honour of the Crown. I shall not conceal from the House the great reluctance with which Her Majesty's Government arrived at this resolution. Nothing but the conviction that it was our duty to take such a course would have induced us to come to that decision. It is, I admit, a vexatious thing that we should be obliged to have recourse to arms in order to control a Sovereign like the King of Abyssinia. I feel that, if ever there was a case in which a great nation, governed by a Sovereign like ours, could show magnanimity and forbearance this was one. Magnanimity and forbearance, however, have limits, for though in public as well as in private matters, when an insignificant or an unworthy individual wishes to fasten a quarrel upon you, magnanimity and forbearance would be shown by every right-minded man, we know that, practically speaking, there is a limit to the exercise of those qualities, or if persisted in, would assume the character of pettiness and timidity. Now, magnanimity and forbearance had in this case been exercised by Her Majesty in an eminent degree. Every pacific means which it was possible to take had been taken by Her Majesty's Government. I am not speaking of the present Government merely, but of her advisers at all times. We believed, therefore, that the period had arrived when it was absolutely necessary to the interests of this country that there should be a recourse to arms, in order to vindicate the honour of the Throne, and to obtain that justice without which the possession of power would to my mind have no charms. We must remember that even from the saddest circumstances some useful moral may generally be drawn and some advantage obtained, and I think that in the present instance we may arrive at this conclusion, that hereafter it may be wise to be more cautious in opening relations with Sovereigns such as the King of Abyssinia. I cannot help feeling also, when we are going to war not to obtain territory, not to secure commercial advantages, but for high moral causes—and high moral causes alone—that it is perhaps well in an age like the present, which certainly is distinguished by an almost absorbing love of wealth and power, that the country should feel, as I believe it does feel, that there is something more precious than power and wealth.

Well, Sir, the Government having come, on the verge of the end of the Session, to the conclusion that it was their duty to advise Her Majesty to have recourse to arms, they resolved as far as they could to insure that the expedition should not fail. Humanly speaking, therefore, they have taken all the means in their power to prevent disaster and to insure success—and I am bound to take this opportunity of expressing on the part of the Government their sense of obligation to the Governor of Bombay for the great energy and resource which he has displayed. He has shown, indeed, more than energy and resource; he has shown a quality which I attribute entirely to his House of Commons training—he has shown a great regard to the interests of the public purse—for I have observed that eminent functionaries who have not had such a training are not so scrupulous in that respect as those who have had that advantage. I thought the Committee would not be displeased that I should thus refer to one who sat many years among us, and who is remembered not merely for his talents, but for his many genial qualities. Now, I wish the Committee to understand that, having resolved to undertake this enterprize, Her Majesty has not expended a single shilling which has not been voted and appropriated by Parliament. Whatever expenditure has been hitherto incurred has been voted and appropriated by Parliament; and it is now, when those votes and appropriations are exhausted, that we come to Parliament to ask for further assistance, and to beg their aid in supporting the policy which we think it wise to pursue. I may remind the Committee that the last step which the Government has taken with regard to the King of Abyssinia is this:—They have directed that Sir Robert Napier should deliver a peremptory message to the King demanding the release of Her Majesty's Consul and the other prisoners, and they have instructed him to support that peremptory message by force if required.

It will now be my duty to explain the probable cost, as far as we can ascertain, of the war in which we may have to embark, and for which we have to a great degree prepared, and also to explain why I have fixed upon £2,000,000 as the amount which it is, on the whole, wisest and best to vote under the present circumstances. The Committee is entitled to the fullest confidence in this matter, and I do not know that I can proceed in a manner more satisfactory to the Committee, as well as to the Government, than if I place before them all the information that we have upon the subject, and state what we believe will be the complete cost of this war if it should commence and be pursued not only to its probable but to its possible termination. The Estimates before us, I need hardly remind the Committee, cannot be prepared with the precision with which Estimates are usually laid upon the table of the House, because they refer to expenditure taking place in a distant country, and they must therefore be described as "rough Estimates;" but I wish the Committee to understand that though I avail myself of an epithet in common use and call them rough Estimates, they are not careless Estimates. They have been submitted to as severe an investigation as was possible under the circumstances, to much criticism, and to the judgment of most experienced men, and they have led to considerable inquiry even in the distant places where the expenditure must to a great degree take place. We offer them, therefore, with as much confidence as we have a right to feel, and that confidence is by no means slight. Assuming, then, that the war commences, and is carried on until the end of the month of April, about which time it would be expedient that our troops should leave Abyssinia, we believe it will be necessary that we should incur an expenditure of £3,500,000. That amount will no doubt be increased if we are called upon to replace the forces of the Indian Government that are now assisting Her Majesty in this enterprize; but the increase will not, comparatively speaking, be considerable—I say comparatively speaking, because I have seen the most absurd estimates on that head in the public papers. In case we have to replace the forces which the Indian Government now lend to Her Majesty, there will be an increase in the Estimate of £300,000, more or less. That is the whole amount which we believe would be required, and would give a total expenditure of £3,800,000; but the Government would contemplate the possibility of an expenditure, in round numbers, of £4,000,000, if we have to replace those troops. Now, of this £3,500,000, £2,000,000 alone will be payable by the Home Government during the present financial year — that is, the year ending on the 31st of March — that is to say, £2,000,000 to meet the advances and make the allowances on account to the Indian Government, which would become due before that day, and to make good those advances which have been supplied by the services at home from the appropriated Votes. It certainly will not exceed the sum of £2,000,000 in the course of the present financial year; and Her Majesty's Government are therefore of opinion that it is unnecessary to trouble the Committee of Supply for a greater amount than that. There is also another reason—though I think I have already given a sufficient one—why it is convenient not to contemplate at the present moment a greater expenditure than £2,000,000; for, as far as we can calculate, it will take exactly that sum to place our complete force upon the soil of Abyssinia. I think that General Napier may find himself with his army completely equipped and ready for action in Abyssinia, at a cost of £2,000,000. I do not wish to indulge in any sanguine expectations; but we ought not to be blind to this contingency, that after these great preparations, and after the invasion of Abyssinia by disciplined troops, it is possible that the further horrors of war may be spared. There are many persons, some of whom are persons on the spot, who entertain even sanguine expectations on the subject. I myself give no opinion upon it; but I think it my duty to place that view of the matter before the Committee. If that result should happily occur, the Vote I am going to ask the Committee to give us would meet the expenditure we should have incurred, and it would not be necessary to ask for any further Vote in Supply for the Abyssinian Expedition.

I have now placed before the House as clearly and as succinctly as I could the general state of affairs. I have avoided as much as possible all points of controversy, because I thought it inconvenient, when asking the House for this Vote, that I should enter at all into them. At the proper time, if they are entered into, my Colleagues and myself will be prepared to vindicate our policy. But for the present I merely place in your hands, Mr. Dodson, the Vote of which I have given notice.

Motion made, and Question proposed,

"That a sum, not exceeding £2,000,000, be granted to Her Majesty, for defraying the expenses of the Abyssinian Expedition, beyond the ordinary expenses of the year 1867."

MR. LOWE : Mr. Dodson—There is one remark of the right hon. Gentleman the Chancellor of the Exchequer in which I entirely concur—he has avoided all topics of controversy, but at what expense to the completeness and perhaps to the accuracy of his narrative I will now endeavour, in as few words as I can, to show to the House. With so much of his speech as deals with the causes of this unhappy quarrel I have nothing to say. I will concede to him, as far as my own opinion goes, anything he likes : for it would indeed be strange if a great country like this could not contrive to get the weather-gauge, in a matter of the law of nations, of such a person as King Theodore. I will not trouble the House on that point, and I more willingly pass it by because there is a weighty matter which I have to submit to the House, and to which I crave, for your own sakes and for the sake of the Constitution of the country, your most serious and minute attention. This war has been commenced without being notified to the House of Commons. That is the undoubted Prerogative of the Crown, and I should be the last person in the world to dispute it. But those who advised the Crown in the exercise of its Prerogative, absolute as that Prerogative is according to our law, are bound by the responsibility they owe to this House and to the country to temper their advice with prudence. And as the Crown, when it comes to make war, must necessarily sooner or later—in this case, I am sorry to say, sooner rather than later—come to this House to furnish it with the sinews of war, I think it is advisable—and I believe that every hon. Member I address will agree with me—that Her Majesty's Government should in every respect consider the feelings and wishes of this House, and should show, so far as is consistent with their duty to the Sovereign, the most marked deference to the feelings and rights of that assembly from which, in the last resort, they must receive the means of carrying on that war which it is the Prerogative of the Sovereign to declare. The charge I make against the Government, and which I will endeavour to substantiate as well as I can from the materials before us, is that they induced the House to believe that they were not going immediately or in a short time to take any decided steps against King Theodore ; and that having created that impression in the House by the speech of a Member of the Cabinet, they never ceased from the moment that speech was made to push on preparations for that expedition as hotly and as fast as they could, and that they only communicated the fact of their intention of going to war to this House at that supreme moment of its existence when its powers were in the very act of being suspended by the prorogation of Parliament. That is the charge I make against the Government, and that charge I believe I shall be able to substantiate. To come as quickly to the point as possible. On the 26th of July in this year the Secretary of State for Foreign Affairs delivered a speech to this House, of which the right hon. Gentleman has spoken highly, and, I will concede to him, not more highly than it deserves. The noble Lord in that speech was exceedingly cautious. He evidently spoke under a high sense of responsibility, laying down principles to which I, for one, give my cordial concurrence. But the right hon. Gentleman says that in that speech the Secretary of State for Foreign Affairs made these two statements. He says he announced that an expedition was preparing, and that he courted responsibility. ["No, no!"] I took down the right hon. Gentleman's words.

THE CHANCELLOR OF THE EXCHEQUER : The right hon. Gentleman has misunderstood me. What I said was that if I on my part chose to put sentences together or, if you like, to "garble" it, I could prove from that speech the two propositions to which the right hon. Gentleman now alludes.

MR. LOWE : I am glad to be corrected. I have misunderstood the right hon. Gentleman. Then I understand he admits that the Secretary of State did not announce that an expedition was preparing, and did not announce that the Government was prepared to take any serious responsibility. Well, that will serve my purpose quite as well. Now, the right hon. Gentleman spoke of "garbling," and he says that anything may be made out of a speech by "garbling" it. Well, I will not "garble" it, but he forces me to read rather a longer extract than I intended. It shall be read straight off, without leaving anything out or putting anything in. The noble Lord (Lord Stanley) said—

> "On the other hand, I feel bound to tell the House frankly and fairly that to obtain the release of these men by force is not an easy matter. I do not speak of military resistance, which in all probability would be insignificant, but we have to consider the country, the climate, the heat at one season and the heavy rains at another, the cost of supplies, the absence of all means of transport, and our total ignorance of what would be the feeling of the people towards an armed force advancing through their country, and all these things taken together make operations against Abyssinia a very serious matter."—[3 *Hansard*, clxxxix. 251.]

Nothing could be more just, nothing more statesmanlike, and nothing more true. He then went on—

> "Something has been said about our having Aden near as a convenient point of departure for such operations. But Aden is a place without stores or resources, and all the supplies that would be required for the invasion of Abyssinia, whether proceeding from Egypt or from Bombay, must be provided beforehand. Magdala, where these men are detained, is at least 300 miles from the coast, and must be approached through a country which is known to be mountainous and difficult, without anything which we should consider as a road, in many parts said to be destitute of water, and of which we really know very little. I am sure, therefore, that the House will feel that, however anxious we may be to attain the object we all have in view, it would be madness to throw a British army into an unknown country, in a tropical climate, far from the sea, very far from its reserves and its supplies, without a full previous investigation as to the means of moving, feeding, and keeping them in health. That inquiry we look upon as an indispensable preliminary."—[*Ibid.*]

Most admirable. Mark the word "preliminary"!

> "I have been in communication with the War Department and with the India Office as to the best mode of proceeding. My right hon. Friend the Secretary of State for India has telegraphed to the Indian Government to send over an officer or officers on whom they can rely to meet Colonel Merewether at Aden, and with him to examine minutely the points on which information is necessary. I do not wish to anticipate the result of that inquiry, but I hope that the House will be of opinion that in making it we had only done our duty—that, on the one hand, we cannot consent to leave these men to their fate without some attempt to rescue them, and, on the other hand, that by precipitation and by acting in the dark we should be running the risk of involving ourselves in great calamities, and might bring on ourselves not only political, but also the possibility of military disaster."—[*Ibid.*]

I will omit a few sentences about King Theodore not being in earnest about releasing the prisoners. Then he goes on—

> "Obviously, We must be guided to a great degree by the reports we receive from those whom we employ to make the investigation to which I have referred. I do not think we should be called upon even now to give any pledge on the part of the Government as to an expedition, unless it is found to be practicable with only a reasonable expenditure of men and means."—[*Ibid.*]

That expenditure of men and means was to depend on the report that the noble Lord was to receive. Well, I put it to the candour of hon. Gentlemen opposite whether any one who heard that speech or read it would not go away with the impression that Her Majesty's Government were deeply impressed with the importance of the enterprize that was presenting itself to them, and were determined, for a considerable time at least, to take no step that would bind us in any way, and that they would not require to come to Parliament for assistance, or to pledge the country in any way, until they had ascertained those difficult facts which the noble Lord had sketched with so masterly a hand. The words are as plain as words can be. The noble Lord sketched out an outline of the enormous difficulties which we should have to encounter, he dwelt with great force on our ignorance of the nature of those difficulties and the necessity for investigation, and, having done so, he announced the intention of the Government to stay its hand until that investigation was completed and the results are at its disposal. That was on the 26th of July. From that time until the 21st of August the Government never ceased pushing on their preparations for war, not merely with regard to transport but to other matters. On the 21st of August Her Majesty was advised to make this declaration to the House, when its debating functions were at an end, and when there is no more power of answering the statements of the Speech from the Throne than there is of our answering a clergyman in the pulpit. Pray bear in mind the statement I have read, and now compare it with this emanation from the same Government within a month of the other—

> "The Communications which I have made to the reigning Monarch of Abyssinia, with a view to obtain the Release of the British Subjects whom he detains in his Dominions, have, I regret to say, thus far proved ineffectual. I have therefore found it necessary to"—

What? To direct inquiries to be made as to the possibility of marching, of moving, of feeding a British force, and if those inquiries turn out satisfactory it is my intention to commence operations against him? No—

> "I have therefore found it necessary to address to him a peremptory Demand for their immediate Liberation, and to take Measures for supporting that Demand, should it ultimately be found necessary to resort to Force."

[*Cheers.*] I would ask hon. Gentlemen who cheer how they are able in their own minds to reconcile these things. I ask them how they can reconcile that Speech with the speech of the right hon. Gentleman to-night. If they can do so, I shall for ever respect their powers of reconciliation. I now come to the next point. This having occasioned some comment, a defence has been set up for it, and a noble Lord who has at least as good a right as anybody to speak on behalf of the Government said in "another place"—

> "Now, my Lords, it has been said that this language was held on the 26th of July, while the first intimation given to Parliament of an intended expedition was contained in the Queen's Speech on the prorogation of Parliament on the 21st of August. The explanation of this circumstance is perfectly simple. At the commencement of the month of June my noble Relative had, as he stated in his speech, taken steps to obtain the most perfect information from the most reliable Indian sources with regard to Abyssinia; but that information was not obtained until the 13th of August, when we received intelligence which led us to believe that we might with a reasonable prospect of success send an expedition to Abyssinia to accomplish the object we had in view. Parliament was prorogued on the 21st of August, and it was not until the 19th of August that, having carefully considered the information we had received from India, we came to the determination to send out an expedition to Abyssinia. Having come to the determination on the 19th of August, at the earliest possible opportunity on the 21st we communicated that determination to Parliament."—[3 *Hansard*, cxc. 41.]

That, then, is the defence which is set up. The first item of that defence is, as the House will see, that the information on which the Government were to make up their minds whether they should take active steps or not was not obtained till the 13th of August, and that they did not make up their minds what they were to do upon that information till the 19th of August. The first question, then, which arises is what was that information? The right hon. Gentleman the Chancellor of the Exchequer tells us that they received a despatch from the Governor of Bombay, which, as I understand, is to be found at page 4 of the blue book, and in which that very active and energetic officer showed a degree of promptitude for which they seem hardly to have been prepared. The Governor of Bombay wrote thus—

> "The operations ought to commence by January, in order to be finished in one season. I can have the force ready in time, provided only that I can obtain animals, which should be collected immediately. We shall want waggons and stores from home. To obtain transports now is easy; but if the decision is long delayed we must use new transport ships. It would have been better to have commenced earlier."

That, I suppose, is the despatch to which the right hon. Gentleman refers, although he alluded to it only in general terms. Now, the House will bear in mind that what the noble Lord the Foreign Secretary said on the 26th of July did not point to the question of the getting together of a force or of transport or ships, but to inquiries into the nature of the country and the sort of enterprize they were to embark in when they arrived there. Therefore, as they were waiting, on July 26, for information on these points, it is no answer to say that on some day in August the Governor of Bombay wrote that he could find them troops in time. It was a question of the features and character of the country, of its climate, and the difficulties to be encountered. ["Oh!"] Hon. Gentlemen opposite may say "Oh;" but I have read the statement of the noble Lord to them in full, and there is not a word in it about obtaining troops. Then the Chancellor of the Exchequer tells us that another thing which weighed very much with the Government was that the King rejected their overtures for the giving up of the prisoners. The despatch from our Political Resident at Aden, dated July 26, says—

> "He (the messenger) delivered the despatch into the King's own hand. The King took it, and saluted it by conveying it to his head; a few words were addressed to the messenger. He was then told to retire, with an order that he was to receive two dollars at once, and daily two sheep and five breads. After ten days he was dismissed, at the same time with several other messengers from Tigre. No letter was delivered to him, and when he purposed asking the King about it he was prevented doing so by the bystanders. This is the man's own statement."

SIR STAFFORD NORTHCOTE: Read on.

> "It is evident the King has no intention of sending any reply, or of acting in accordance with the demand contained in your Lordship's letter."

The House will remember the observation I have made before—namely, that the noble Lord the Member for King's Lynn did not speak at all of the action of the Government depending upon the conduct of the King, but upon the preliminary inquiries to be made into the features of the country and the nature of the enterprize. We are dealing with the facts, not with Colonel Merewether's interpretation of them. It is no answer, therefore, to urge that the King treated with contempt or did not obey the message which was sent to him. One further passage, and I will not trouble the House with any more on this point. At page 24 of the blue book you will find this stated in a despatch of the 13th of August from the Under Secretary of State for India to the Under Secretary for Foreign Affairs—

> "Sir Stafford Northcote has instructed Mr. Seymour Fitzgerald to despatch certain selected officers, connected with the Commissariat and other public departments, to the coast of the Red Sea, in order to make, in communication with Colonel Merewether, the Political Resident at Aden, inquiries into the features and resources of the country to be visited."

That is the inquiry which the noble Lord the Foreign Secretary contemplated, and though that inquiry was thus directed to be instituted, no answer as to these particular points has been received at all. The noble Lord the Foreign Secretary said there must be a preliminary inquiry into them, and the Chancellor of the Exchequer now seeks really to substitute one thing for another. The Government must either stand by the noble Lord's speech, or they must abandon it. If they stand by it, they must show that they received the information which the noble Lord said they waited for. If they do not show that, it is of no use showing that they received all sorts of information upon other and different matters. Therefore, as they cannot show the first, on that point the defence wholly breaks down. Then it is said they received news on the 13th of August. Well, what was it? Nobody has said what that was. The noble Lord in "another place" did not state, and the right hon. Gentleman to-night has not stated, what the news was which they received on the 13th of August, and which fulfilled the condition laid down by the noble Lord the Foreign Secretary in his speech last Session. I cannot imagine what it was. But now mark what was done. It is quite clear that one announcement was made on the 26th of July, and quite a different one on the 21st of August. It is said the information they obtained in the interval caused them to alter their opinions. I do not accuse them of altering their opinions. I know nothing of their opinions. I accuse them of announcing one thing in July and another in August. If you read the whole of the blue book from the beginning you will find one consistent line taken up and steadily pursued throughout; there is no jerk, no acceleration or retardation visible; nothing happened more after the 13th of August than before it; step after step is taken, until the whole thing assumes a mature development. It is alleged that the Government did not make up their minds until the 19th of August. Just look at the things which they did before the 19th of August. I am now citing from the 25th page of the blue book. There you find a telegram from the Secretary of State for India to the Governor of Bombay, dated August 14th, or five days before the 19th, to this effect—

> "Authority should be given to the officers to draw on Bombay. The Government of India have been instructed to supply you with funds. Purchase the steamers. Tell Sir Robert Napier to make a peremptory demand for the delivery of the captives, and to follow it up by such measures as he thinks expedient. We leave all preparatory measures to your discretion. Your requisitions will be complied with."

Is that the language of a Government which does not know whether it is going to war or not? And not only did they do this, so zealous were they that they actually rode straight through a most peremptory Act of Parliament, as appears from the very passage I have just read. They ordered money to be paid out of the Indian revenue. Are we to be told that the Government took no resolution when they took such a step as that? The 55th section of the Government of India Act of 1859 says—

> "Except for preventing or repelling actual Invasion of Her Majesty's Indian Possessions, or under other sudden and urgent Necessity, the Revenues of India shall not, without the Consent of both Houses of Parliament, be applicable to defray the Expenses of any Military Operation carried on beyond the external Frontiers of such Possessions by Her Majesty's Forces charged upon such Revenues."

Well, not only are the rights of this House set aside when public money is thus expended, but the Act of Parliament, which seems to have provided for this very case, is broken; while the Government assure us in the very same breath that they have taken no step at all, though they have done the things which I am pointing out. But this is not all. In the blue book there appears this telegram of August 13, from the Secretary of State for India to the Governor of Bombay—

> "It is proposed that the command should be given to Sir Robert Napier. You shall have an answer about the transports when it is decided by the Cabinet."

Again, there is at the same page of the blue book (25) this telegram from the Secretary of State to the Governor of Bombay:—

> "Please to give an early reply about the proposed purchase of the steamer transports. Have arrangements been made with the Governor General about finding the funds? In the Gulf and the Red Sea draughts on Bombay are better than on Calcutta. The time is passing quickly; a month's delay may make the difference of the proposed equipment and success."

Then you come to No. 31, which says—

> "Authority should be given to the officers to draw on Bombay. The Government of India have been instructed to supply you with funds," &c.

Then, in a despatch—not a hurried telegram—from the Secretary of State for India to the Governor of Bombay, dated August 16, a little before the Government state that they made up their minds, it is said—

> "It having now, however, become manifest that the King will not release the captives until he is compelled to do so, Her Majesty has resolved on making a final and more peremptory demand upon him, and on supporting that demand by adequate military operations."

Is that consistent with the Government not having made up their minds to have recourse to military preparations at all? If they had, what is to be said of the conduct of the Government and of its treatment of this House? The despatch goes on to say—

> "Her Majesty's Government are of opinion that the contemplated expedition should be organized in India, and that Bombay should be selected as the base of operations. It is their desire it should be placed under the command of Lieutenant-General Sir Robert Napier, K.C.B., the Commander-in-Chief of the Bombay Army, with Brigadier General Sir Charles Stavely, K.C.B., as second in command, who will accordingly receive the necessary instructions from His Royal Highness the Field Marshal Commanding-in-Chief."

Then there is the despatch of the Field Marshal Commanding-in-Chief appointing Sir Robert Napier commander of the expedition. All this was before the Government had made up their minds. I do not know that I need quote much further from this blue book. I can quite understand that hon. Gentlemen opposite do not look upon those extracts as very acceptable, but there is another to which I would invite their attention. The Assistant Under Secretary of State for Foreign Affairs, writing to the Under Secretary of State for India on the 17th of August, says—

> "I have laid before Lord Stanley your letter of the 13th instant, stating the steps which have been taken in anticipation of the necessity of sending an expedition to Abyssinia for the purpose of effecting the release of the captives detained by King Theodore, and I am to inform you in reply that, as Her Majesty's Government have decided on immediately prosecuting this matter and on leaving all arrangements therewith connected to be carried out by Her Majesty's Indian authorities, Lord Stanley has requested the Lords of the Treasury to place themselves in communication with the Secretary of State in regard to the question of expenditure."

Observe this verbose official mode of making an announcement which, in plain English, means, "We have determined to go to war, and we desire you to find the money." Such, then, is the state of the case. Her Majesty's Government, through one of its most important Members, made a statement which led the House to believe that a careful investigation would be instituted, and that some time would be allowed to elapse before war would be resolved on. Having done that, they immediately set to work to prepare for war; they send oral instructions to India to have mules and stores provided for the purpose, and, notwithstanding that the House was all the time sitting, they preserve the most absolute silence on the subject, never breathing to us a word with respect to these preparations, until we hear that war is determined on through Her Majesty's Speech. Now, if the House is called upon to support the Government on such an occasion, it is, I maintain, entitled to have the fullest confidence placed in it. Nothing ought to be concealed from it. It is a mere pretext to say that there were reasons which required that we should not be supplied with the information with which I contend we ought to have been furnished. There is in a defence of that kind no sort of solidity, especially in the case of a barbarous Power, in regard to which it would not matter whether the announcement that we were about to go to war with it was made sooner or later. I ask hon. Gentlemen opposite do they feel that the House ought to have been so treated? I rose mainly to complain of the course which has in this respect been pursued by the Government. I can imagine no more dispiriting or humiliating position than that in which we stand at the present moment. We are placed in a worse position than a debating society, because a debating society can select the conclusion at which it wishes to arrive. We, however, have not that miserable consolation. We are asked to vote money, a great portion of which has been already spent, and to give our sanction to an expedition which has already started. We cannot, of course, allow the public credit of England to suffer, or a mission sent on a perilous errand to want anything we can find for it because the Government did not choose to take the House into their confidence. We must vote the money—the right hon. Gentleman knows it well—and thus give an apparent sanction to this expedition, although we have never been consulted in the matter and never had an opportunity of giving a free opinion as to its policy. I now turn to another part of the subject, and that is the question whether we are not entitled to have a little more information as to the expedition laid before us. The noble Lord the Secretary for Foreign Affairs told us on a former occasion, most fairly, that we ought to know everything about the country which our troops are about to invade which could be ascertained by inquiries, and that it would be madness to send our army to a distance from its supports without obtaining the fullest information of that kind which could be procured. Has this been done? We have certainly got an immense blue book; but, for my part, I "cannot see the wood for the trees." It is impossible to wade through the numerous documents which it contains. There is a correspondence about the theological scruples of a dragoman, and as to whether a sub-dragoman should get £500 a year, and whether some other man whom he required should accompany him. Everything that is superfluous—merely official routine—is crowded into the blue book; but there is one thing which is not to be found there—and that is information as to the selection of routes. It were better, in my opinion, that 850 of those despatches were left altogether out of the book, and that we should be furnished with information compiled from Bruce and other travellers, which it is said at page 58 was most useful to the Secretary of State, because in such information lies the pinch of the whole question. Why, I would ask the noble Lord, has that been printed and circulated which he regards as a necessary preliminary to enabling us to make up our minds on this question, and yet not laid before the House? As to the base of operations, that would appear to be settled. The place fixed upon, I believe, is one within sixteen miles of which there is no water, and where men and animals are now supported by distilled water. I am not now canvassing the merits of the expedition. I am simply speaking of the information which I think the House ought to have, and with which it has not yet been furnished. I should like, for instance, to learn something about the routes. There are a number of caravan routes in Abyssinia. If the Government had chosen any one of these, it would be easy to show that it would be almost practically impossible to avail ourselves of it for the purposes of the expedition. They have not done so, however; but they have, instead, made a selection of a route of which, as far as I am aware, no one appears to know anything. I once heard of a doctor who said that he had no such confidence in any medicine as in that which he had never prescribed before. It seems that the Government have no confidence in the known routes, but the greatest in a route with which everybody is unacquainted. They give the public no information on the point beyond stating that it follows the top of a range of mountains. Then, again, I would ask whether the expedition is entered upon with the idea that King Theodore has the prisoners in his possession or not? If he has not, there is surely no use in attacking him in order to rescue them. If he has, he will most probably retire with them into some part of the country in which it will not be easy to get at him. I should like to know also whether the Government have made any calculation as to the exact destination of the expedition, whether Magdala, Debra Tabor, or some other point. They do not, I suppose, hope to get fairly into the country until the end of December. Then, there will be only four months before the rainy season will come on, and I trust we shall hear from the noble Lord the Secretary for Foreign Affairs whether it is contemplated that our troops should pass that season in Abyssinia. If so, how is it proposed to meet the danger to which they will be exposed by the climate? Then the roads are such, as we are informed by Mr.

Dufton and Mr. Bruce, that persons travelling by them are compelled to proceed for forty or fifty miles together in single file. Has it been taken into account how that process can be gone through by an army consisting, including non-combatants, of 40,000 or 50,000 men, incumbered with beasts of burden? Why, one man falling from sunstroke or illness on the route, one mule turning restive or requiring its load to be adjusted, would, under such circumstances, stop the advance of the whole force. It should be borne in mind that they would not be marching in a climate like that of England, but in a country where the sun is vertical almost all the year round, and where long exposure in the heat is perilous in the extreme. Yet upon these important points no assurance is given to the House that such perils can be avoided. There is one other point to which I should like briefly to advert. Our route will lie from Annesley Bay, and Mr. Scarlett, our Minister at Florence, very properly invited the opinion, as to the nature of the country to be traversed, of his Belgian colleague, Count Cuelebroeck, who says—a suggestion, be it remembered, having been made that we should send, among other places, to Constantinople for mules, where I, at least, never saw a mule. The Belgian Minister, speaking of the only routes we can take from Annesley Bay or Massowah, said—

> "You arrive at the plateau, 8,000 feet high, by Dixan or Halai and the ascent begins at some leagues from the coast. There is no trace of road, and it is well to remember that horses and loaded mules cannot pass there."

This exactly agrees with what Bruce says in his travels. He says he had to unload his mule and crawl up the rock himself with his luggage, because it was impossible for the mule to get up with it. The Belgian Minister further said—

> "The inhabitants employ oxen, which have this special quality, that they employ their knees to climb the rocks, which horses could not reach with their feet."

Considering that such is the character of the passes by which you must keep up your communication with the army, and through which all your force of artillery and all your bottled beer and light claret must be carried, I want to know whether the attention of the Government has been called to the fact, and whether they have taken or are now taking any measures in order to enable the army to maintain any real communication with the shore? These are some of the points on which I hope that the Government will give us information; but what I rose mainly for was to draw attention to what I conceive to be the manner in which the House has been treated, and I now leave the matter to be dealt with by abler hands than my own.

LORD STANLEY: Sir, in rising to support the Motion of my right hon. Friend, I am painfully conscious of the difference between that remarkable display of rhetorical ingenuity to which the Committee has just listened, and the plain unvarnished statement of facts which is all that I can venture to lay before them. But I rely with confidence upon the strength of the case which I have to urge—I rely upon the often-tested justice of this House, and upon the support of impartial opinion out of doors. In the first place, I think I am not asking too much if I beg the Committee to believe that this Abyssinian expedition is an undertaking in which nothing could have induced the present Government—or I suppose any Government—to engage, except the conviction of an imperative necessity. No Minister could desire to deprive himself of the means of promoting those financial reforms for which we are all so anxious; no Minister could wish to incur the inevitable unpopularity of increased taxation; nor least of all, could any Government willingly undertake the risk and responsibility which must necessarily attach to any campaign carried on in a remote and difficult country. It is quite unnecessary, I think, to disclaim in this case any idea of permanent occupation or protection, or of conquest. We have quite as much territory already on our hands as we care to hold, or as we can safely hold; and if we had not, I do not think Abyssinia is precisely that part of the world in which England would covet new possessions. No, Sir, this work comes to us as a duty—as a duty not agreeable, but which has to be undertaken, and which neither in honour nor in justice to those engaged in the service of the Crown, nor with any due consideration of our interests in the East, it would be possible for us to leave unperformed. It is as a duty alone we consider it, and it is in this point of view we believe it will be considered by the country. At the stage which we have now reached it is not, I believe, of much practical importance to discuss the question whether or not it was wise in the first instance to enter into diplomatic relations with Abyssinia. That is a matter on which I at least am not called to express an opinion. It was a thing done long before Her Majesty's present Advisers were responsible for the conduct of affairs. The appointment of the first Abyssinian Consul dates as far back as the year 1848. I neither praise nor blame the establishment of that Consulate; I only feel bound to state, in justice to those by whom that step was taken, that even if it should be considered unnecessary and unwise to have sent a Consul to Abyssinia, I do not think that the results which have actually followed were within the reasonable expectations of any one. King Theodore was at that time known to be an able and ambitious sovereign; somewhat unscrupulous, perhaps, and careless of life—but that apparently insane mixture of suspicion and violence which now characterizes his disposition had not then developed itself, and could not have been foreseen. Nor do I wish to discuss at any length the causes which led to the original detention of Mr. Cameron. Indeed, although I have read all that has been published upon that subject, and have heard the opinions of various persons with respect to it, and although it has necessarily been a good deal in my thoughts, I am bound to say that all the results at which I have been able to arrive are of an exceedingly negative character. It may be that King Theodore himself would be puzzled to say by what act or series of acts his feelings of suspicion or jealousy were first excited. It may be that his mind had been poisoned by some of the other European residents at his court, who were many in number, and on bad terms with one another. It may be that he had listened to stories which were unproved, and accusations which were simply baseless. It may be that the intercourse, slight as it was, which Mr. Cameron held with the Native tribes, or the suspicion that he was in communication with the Egyptian Government, first awakened the hostile disposition of the King. It may be that there was something in the circumstance we have all heard of, of the letter which was never answered. It may be—and I, for my part, lean to this as the least improbable of the many solutions that have been offered—it may be that King Theodore expected from the friendship offered by England something very different from what we intended to offer. We, of course, merely proposed friendly intercourse and commercial facilities; he may have expected an alliance and active assistance in that which has been the favourite project of his life—a crusade against the Turkish power; and, however unreasonable that expectation may appear to us, it is not unlikely to have been entertained by him, and he may have considered himself ill-used because it was not gratified. It may be, again, that the original detention of the prisoners was a mere act of caprice, for which no intelligible reason can be assigned, and that he has since detained the prisoners, not so much from a feeling of enmity as from a fear of releasing them, because he imagined that he might then lose the hold he now possesses on England, and be, in consequence, exposed to punishment. All these are explanations more or less plausible, and more or less capable of being supported by argument; but which of them, or whether any of them, is true, is more than I can pretend to say. The materials for deciding that question are before the public, and every one must be left to form his own conclusion upon them. But I think that it is a matter which is not now practically urgent. If King Theodore had a grievance either against our Consul or against the British Government, and had made that grievance known in an ordinary and rational manner, we should have been able to explain it away if it were ill-founded, or to redress it if there were any grounds for it. But as he has not at any period of these proceedings, from first to last, condescended to tell us what is his cause of complaint, I do not think we should be required to conjecture its nature. And in the next place it must be plain, that if on the one hand his complaint is against the Government it is an act, not merely of injustice, but of absurdity, to punish the innocent Envoy; while if, on the other hand, what he has to complain of is something in the personal conduct of the Consul, then the obvious and natural remedy would be to refer the matter to the Government by whom the Consul was sent out, whose business it would be to take cognizance of it, and, if necessary, to inflict proper punishment. I say this because I have seen of late some attempts, although but a few, to represent the detention of Mr. Cameron as, if not perhaps justifiable, at least capable of explanation and excuse. But even if that were admitted for the sake of argument, what can possibly be adduced in excuse of the detention of Mr. Rassam? Mr. Rassam gave no offence; Mr. Rassam held out no hope of assistance from the British Government; Mr. Rassam held no communication with Native tribes; his sole mission was to procure the liberation of Mr. Cameron—and yet, although the King has used the most friendly language towards him, he remains in prison without a prospect of rescue, unless by the means which it may be necessary for us to adopt. When we acceded to office, some fifteen months ago, we found this state of things existing, and we had to consider what was, under the circumstances, best to be done. There were those even then, and among them people who knew Abyssinia best, who said that negotiation was of no use, and that nothing except force would attain the result we all desire. The event has proved this opinion to be correct; but it was not our wish, and I believe the Committee will be of opinion that it was not our duty, to act upon that theory unless we could say with certainty that all other resources had failed. Our first step was to consider whether we should send out a third mission. There were, no doubt, volunteers ready to undertake that hazardous and honourable service; but after the failure of the two former missions we felt that to send out a third similarly composed upon the same errand, would be only to expose to needless risk valuable lives, and to increase the number of those we should ultimately have to rescue. What we did therefore was to employ an agent whom we found ready to our hands—Mr. Flad, the German missionary, to whom the right hon. Gentleman has referred. He had enjoyed for some time the friendship of the King—such friendship at least as that Sovereign is capable of. He had been allowed to return to Europe, leaving his wife and children behind as hostages, and was thus bound in any case to go back. On that account he was selected to convey the Queen's letter to King Theodore, while Colonel Merewether went over to Massowah to give him all the assistance in his power, and to inquire into the possibility of obtaining the release of the prisoners. Mr. Flad reached Massowah in October. What followed is on record in the papers which have been published. The King expressed some anxiety to see the artizans and presents, but would say nothing at all as to the liberation of the captives. Colonel Merewether, then, acting on the instructions he had received for such a contingency, declined to give the presents or to send on the artizans. I have seen some criticisms upon this proceeding. I have seen it stated that we unnecessarily offended the King by showing a distrust of him. My answer is that after his past conduct we could not help feeling such distrust, and if any other course had been taken, and that had followed which I believe would have been the inevitable result, we should not only have been his dupes, but his dupes by our own act and choice. In April we demanded the prisoners in a formal manner, avoiding at the same time all threats except that of forfeiting the friendship of England. But, at the same time, in anticipation of possible contingencies we began to communicate with the India Office and the War Office with respect to the possibilities and prospects of an expedition. The letter of April the 16th reached King Theodore in June; no reply followed; and it was when we found that that mission had been ineffective, we began anxiously to consider the question of using force. It was only on the 13th of August that the result of the inquiries made in India was reported to us; and about the same date we heard from Colonel Merewether that the messenger who had been despatched to the King had returned without a reply, making it clear that he had decided on giving no answer. On the 19th we wrote to Colonel Merewether, announcing that the expedition had been decided upon. I may mention in passing that the peremptory demand referred to in the Queen's Speech was intended to have been sent out at the same time; but on consideration we thought it better to keep back the demand for a few weeks on the ground that to send to the King a menacing message without at the same time showing by the state of our preparations that we were in earnest and able to enforce it, might in the interval have exposed the prisoners to increased danger. That demand bears date the 9th of September, and was forwarded a few days later. Such is a brief narrative of what has taken place. There is only one other circumstance in this narrative to which I deem it necessary to advert. We have within the last few weeks received from the Viceroy of Egypt an offer of diplomatic assistance in the shape of a mission which he proposes to send to King Theodore, advising him to comply with the British demands. That step was not taken at the request of Her Majesty's Government, but it was taken with our consent and sanction. At the same time, we have not allowed it to interfere with the preparations for the expedition. It was a chance which we thought we ought not to throw away; but we did not attach much importance to it. If it should succeed so much the better: if it should fail we should be none the worse. There has not yet been time to learn what has been the result of that negotiation.

Now, Sir, reviewing the course of events, if objection is taken to the sending out of the expedition, my answer is, what else was there to do—what other alternative remained? No doubt there was one other alternative—the simplest of all, and which some might have thought wisest—to leave the prisoners as they were. There would have been a precedent for such a course—that was done in the case of Stoddart and Conolly, who were imprisoned and put to death in Bokhara. But in their case there was a reason — unfortunately too valid a reason—for the decision then adopted, and it was this — that it was believed at the time—and as far as I can venture to judge the opinion was a sound one—that to send an expedition from India to Bokhara was an undertaking physically impossible. England was not then in possession of the Punjaub; the distance from the then existing boundaries of India was over 1,200 miles; the road lay over some of the highest mountains in the globe, through countries very thinly peopled, and whose inhabitants, where any existed, were fanatically hostile. The rescue of those officers was therefore not attempted simply because it was judged to be impossible. We cannot say the same thing in the present case. To march through Abyssinia may be a difficult task, but it certainly is not an impossible one. But even if—which I do not believe—even if opinion in this country would have tolerated as a lesser evil than the sending out of an expedition the leaving the prisoners to take their chance of being murdered or kept in chains for the rest of their lives—even that is not wholly the question we should have to consider. We have to consider opinion in India as well as here. If Europe alone were concerned you would have known the worst—you would have incurred a certain amount of ridicule and reproach, and even of humiliation.—Your diplomatic position would have been somewhat affected: but still I suppose no very serious evil in an Imperial sense would have arisen. But how would it be in India? The possession of India is no doubt a great glory, but it is also a great responsibility, and under some circumstances a great danger. We rest our position there on what is vaguely called prestige. We hold our power in India not indeed exclusively by the exercise of force, but in a great measure by the knowledge that, however mildly and justly British authority may be exercised, it is backed in the last resort by a power which cannot be resisted. It follows as a consequence of this position that whatever it may cost we cannot allow that idea to be dispelled; we cannot accept an insult from any uncivilized tribe, and merely say we are very sorry, but it is out of our power to punish it. Even that case of Stoddart and Conolly, as I have been told, and as I believe, did us considerable harm in India. But I will take a much later instance. What was the origin of the war in Bhootan? Why it was precisely the same—the detention of, and an insult to, the British Envoy. That war was costly—it involved reverses, and it brought no return in the way of material advantages. But it succeeded; and no one, I believe, either in England or in India, said that it was unjustifiable or unnecessary. I know it is stated by some persons that it is a delusion to suppose the Native population of India know anything or care anything about what takes place in Abyssinia: but I believe that is a complete mistake. I have heard from the lips of many persons in the Madras Presidency—and I give it as an instance of how far and how fast intelligence sometimes travels among an Oriental population—I have heard that the news of our great disaster at Cabul was well known in the Native bazaars of that distant part of India before, or at least as soon as it had reached the British authorities. I will add another fact, or rather another statement of opinion. I believe that the conviction which the Sepoys had come to entertain of their own power—a conviction without which the great mutiny would never have taken place—was founded to a very considerable extent on the rumours—no doubt greatly exaggerated and distorted rumours—of what was said and thought in England with respect to what was called the break-down of our military system in the Crimean war. Well, it may be pretended that we despaired too soon of a peaceable solution of this question, and that we ought to have sent another mission. I confess, however, I do not see how—two previous missions having failed — the one under Mr. Rassam and the other under Mr. Flad — there could be any reasonable prospect that a third mission would succeed; and it is to be remembered that any attempt of that kind would have inevitably led to the loss of another year. I have heard it asked, again, where would be the difficulty, if the matter were set about properly, of obtaining the release of the prisoners by the payment of a ransom? and some people have put the question, whether £100,000 offered to King Theodore would not have saved the captives, and have spared us the cost of the expedition? Now, with all deference to those who support that policy, I answer that we went as near to such a mode of proceeding as we could have done in decency or in honour — when the artizans were encouraged to go out, when presents were sent, when the Queen herself was advised to write a letter to the King couched in the most courteous terms, and in which she professed to consider all that had passed as the mere result of a misunderstanding: I think, after all these things, that the policy of concession and conciliation has been carried as far as was possible. Again, I doubt whether if a sum of money had been offered it would have been accepted. As far as we can see, it is not avarice, but an overweening vanity and cruelty of disposition that mark the character of King Theodore. But, apart from that, I think it is very doubtful on larger grounds whether it would be wise for us, who have necessarily numerous dealings with half-civilized tribes in every quarter of the globe, to buy off an imprisoned Envoy with a ransom. Ransom is easily confounded with tribute, and we all know what tribute implies. If we were to pursue that course once, it would in my opinion act as a premium on the detention of English Envoys and of English travellers, because let it once be thought "Here is a Government which will not fight but which is always ready to pay," and you will be called upon to pay first, and will probably have to fight in the end.

Then I come to another class of objections, of which the right hon. Gentleman the Member for Calne has given us some admirable specimens to-night. "What do you really know about Abyssinia? What data have you got to go upon? Have you undertaken this expedition with any reasonable prospects of success?" My answer is that the information collected from various quarters by the War Department, and which has this very evening been laid upon the table—information which, I am bound to say, I was not aware was accessible and available when I addressed the House last Session, in July last—I say that that information shows that we know as much about the interior of Abyssinia as we knew of many of those various countries with which, unfortunately, we have from time to time been compelled to go to war. The main features of the country are clearly laid down. It has been mapped, the principal roads have been travelled over, and the physical geography and resources are tolerably well understood. In fact, we know more regarding Abyssinia than we did of Bhootan, and probably as much or more than we did of Burmah when we first went to war there in 1826, and of Scinde at the time of its conquest, in 1843. As to the chances of success, that is a question upon which the opinions of the highest military authorities have been carefully and anxiously taken. The right hon. Gentleman (Mr. Lowe) asks whether the expedition is possible? But my difficulty in giving proof to the contrary is, that it has never entered the mind of anybody concerned with it to consider that the expedition was impossible. Those whom we have consulted have spoken of delay, of difficulty, of the cost of providing the necessary transports, which no one doubts; but no one speaking with any authority has expressed so much as a doubt of the ultimate success of the expedition, or even hinted that the physical obstacles are insurmountable. If a contrary opinion had been given, and supported by competent authority, as in the case of Bokhara, then, however much we might have regretted that the honour of the country could not be vindicated, we should have felt that our duty was clear, since no man can be expected to contend with insurmountable physical obstacles, and though that result would have been in some respects unsatisfactory, it would not have been without its consolations. What we have felt is this—that if this thing cannot be done, there would be an end at once of our duty and responsibility; but if, on the other hand, it can be done—and we are told that it can—then there is in honour and duty no choice but to go forward. No doubt those who have the conduct of this expedition will find difficulties in the way. But England was not made what England is—the Indian Empire was not built up—by men who shrank from facing difficulties in the course of a clear and obvious duty; and, observe this, that the difficulties here anticipated appear least formidable to those who from training and occupation are best acquainted with obstacles of the kind. Indian officers are accustomed to rough countries and rough work, and of these officers Sir Robert Napier is by common consent recognised as one of the ablest. Whatever can be done by skill, by pluck, by perseverance, Sir Robert Napier will do. I have myself known enough of him to hazard that opinion—an opinion which I think will be endorsed by the whole of our Indian service.

Then, again, it is said by the right hon. Gentleman (Mr. Lowe), "You have an enemy to contend against that no amount of moral courage or skill will avail you to vanquish, and that is the climate." I believe that opinion to be widely prevalent in England, and I shared it to some extent myself when last year I spoke upon this subject. I believe that that opinion rests generally upon the assumption that Tropical Africa is unhealthy, and that because Abyssinia is a portion of Tropical Africa, therefore Abyssinia must be unhealthy. The fact, however, is that the whole of the interior of Abyssinia, as far as is known to us, is an elevated plateau 4,000 or 5,000 feet above the level of the sea; and that is just the elevation that is chosen by preference for the Indian Sanitaria. The low country to be traversed is not more than fifty or sixty miles across. Of the climate Mr. Plowden speaks in the highest terms; Mr. Rassam says that, upon the whole, it is a very healthy country; and Mr. Mansfield Parkyns, who spent five years in the country, describes it as being one of the healthiest climates in the world. Moreover, we must not overlook the fact that the health enjoyed by the prisoners at Magdala has been very good, notwithstanding the severe privations to which they have been exposed, and all the depressing influences of anxiety and harsh treatment. As to the Commissariat, Colonel Merewether reports that "once the plateau is crossed there is an abundance of good water and plenty of forage, fuel, meat and grain." And since I entered the House this evening I received a telegram which states that—

> "Chief of Telhonda (?) met me on the road and went with me to Texonda (?). Ascent to Texonda (?) practicable for mules and camels, but difficult. Senappe route preferable. . . . 120 villages have applied to Colonel Merewether for friendly treatment, and offer services."

I think the Committee will agree that this information is very satisfactory. We have had a very formidable picture drawn with regard to the matter of roads. Now, I certainly do not mean to contend that Abyssinia is a country where you are likely to find good roads; but does anybody suppose that the obstacles in this respect will be more serious than were overcome in Affghanistan? I know that that word is a name of ill omen; but the Committee must recollect that, although there misconduct and mismanagement produced a great catastrophe, yet Anglo-Indian armies, of no great numerical force, traversed the country victoriously from end to end. Now I venture to say that Affghanistan presented as many physical difficulties as Abyssinia can do; but there is this in favour of Abyssinia—that Affghanistan is inhabited by a singularly warlike and hostile population, which certainly is not the case in Abyssinia. Serious military resistance in Abyssinia is hardly to be expected, and an expedition supplied with all the appliances of the present day cannot fail to do that which the comparatively feeble Portuguese expedition actually accomplished 300 years ago. Then, again, it is said that there are other difficulties, and the right hon. Gentleman the Member for South Lancashire asks, "What will you do supposing King Theodore decamps and abandons his capital, falls back into the furthest interior of his country, and takes the prisoners with him?" My own belief is that he cannot do that. As far as we know what is passing there, the greater part of the country is in a state of chronic insurrection against him, and those who submit to his authority do so through fear, and not from love. Should his army be disbanded, and he should seek to take refuge among the half-independent chiefs in the interior, my belief is, that without our interference, he will very shortly cease to reign, and possibly cease to live. Further it is argued, "Suppose he should murder the captives, how will you have gained the object of your expedition?" My answer is, that there are a hundred chances to one against that probability. King Theodore has never shown himself wanting in cunning. I concur with the right hon. Gentleman the Member for Calne, that he is not at all likely to throw away that which, if it come to the worst with him, is his best chance of buying peace. He has been warned that for the safety of these prisoners he will be held personally responsible; and, moreover, it is to be remembered that the prisoners themselves, amongst whom the probability of liberty has been again and again discussed, are well aware of the risk they run and have made up their mind to it. They have implored us to ignore this difficulty, and have urged us to go forward. There is another criticism which I may mention by anticipation, because it has found favour in many places, and that is that the expedition is too large, and that one upon a smaller scale would cost less and would have a better chance of success. Upon that point my answer is that, being a military question, we have consulted the best military authorities, and that Sir Robert Napier has declared that with less than 10,000 or 12,000 men it would not be safe to make the attempt. No doubt a smaller force might succeed; but we wished to make sure, as far as in war anything can be sure, of the success of the expedition. Nothing would be more damaging to our reputation—nothing more costly in the long run, than if, by reason of too small a force, we should have to stop half-way, lose the season for action, have to send back to India for reinforcements, and begin again in the winter of 1868. I said before, and I repeat it, that I believe the amount of military resistance to be expected in the open country will not be great; but there are no doubt natural forts to be occupied along the line of march, difficult passes to be traversed, and even after reaching Magdala there will be a long line of communications to guard. But, after all, that is a professional question, and I must say that the Government, though not fearing responsibility, would have shrunk from the responsibility of undertaking to send out an expedition of this kind with means which those who were to take the command of the expedition told them was in their judgment inadequate. Another difficulty has been raised to which I must advert, because I think more importance has been attached to it than it is entitled to. It is said, "You may easily get into Abyssinia, but how are you to get out? You may destroy the Government, but you cannot make another; and anarchy will result." Well, Sir, anarchy is a bad thing; but if all be true that we have heard, anarchy itself will be an improvement on the Government of King Theodore. But I entirely deny that England must be held responsible for what may happen in Abyssinia after the withdrawal of the expedition. No doubt the population of Abyssinia will suffer for the errors of its rulers; so it has always been, and I suppose always will be. For that we are not responsible. All we can do is to take care not to hold out false hopes or encourage any one to believe that our occupation will continue. No doubt a great deal must be left to the discretion of Sir Robert Napier; but this is very clear—that the sooner the object for which we go to Abyssinia is secured, and the sooner we are again out of the country, and the less we have to do with it in future, the better. We can do very well without Abyssinia, and the Abyssinians must learn to do without us.

Well, now, Sir, I come to the point on which so much stress was laid by the right hon. Gentleman the Member for Calne, and it is one which, though of less real importance than that which concerns the policy and the prospects of the expedition, cannot remain unnoticed. If I follow the argument of the right hon. Gentleman correctly, his statement is that, in consequence of the time at which our decision to use force was communicated to the public, no opportunity was given to Parliament for the expression of opinion on the subject. Now, Sir, although I think that that charge is unfounded, I, for one, entirely concur in the spirit by which it was dictated. I think—and in accordance with that belief I have, as a Minister of the Crown, in times past always endeavoured to act—that any unnecessary reticence towards Parliament is an act of folly; and I do not hesitate to say that if at the time the subject was discussed in July last — when we were pressed by one or two hon. Members to say that an expedition should be sent out—when I used language implying that the expedition had not been decided upon—if at that time we had decided to use force and yet had concealed our intention, we should have been guilty not only of an act of folly, but of a grave offence against political morality. But I deny most distinctly that that was the case. The debate took place on the 26th of July. I then placed the information we possessed in the strongest possible light before the House. I stated the objections which existed to an expedition as reasons for not committing ourselves to the adoption of such a course; but I left the Government perfectly open to take whatever course they should think necessary. Between that time and the close of the Session nearly four weeks elapsed. The final decision of the Cabinet to undertake the expedition was not arrived at until within a week, or I think even less, of the close of the Session.

A great deal has been said regarding our making preparations for the expedition before we had determined on despatching it. The tenor of the remarks of the right hon. Gentleman on this point proceed upon the assumption that we decided upon the expedition the moment we commenced to make preparations. As if there was no such thing as providing for an event which though probable is not certain; and as if any set of men in their senses would determine upon entering into such a war without having first of all taken certain preliminary steps which, no doubt, might be unnecessary in the event of their arriving at an opposite decision! Again, I may be asked, why was not the decision to send out the expedition arrived at earlier, and what occurred between the 26th July and the end of the Session to cause this change in our conduct. Well, in the first place we had acquired at the close of the Session, and only then by the arrival of despatches on the 13th August, the certainty that our last despatch had reached Theodore, and that he had rejected our overtures. In the next place, we had only on the 13th of August—the same day—communications from India satisfying us upon the point upon which we had hitherto been in doubt—namely, the possibility of sending out an expedition in the course of this winter. For my own part, I confess that when I spoke upon the subject in July last I did not think that, in the event of force being necessary, it would have been possible to complete our preparations in time to take advantage of the winter season; and I may observe, that it was only during the interval between July and the close of the Session that we obtained from the War Department the mass of information which has shown us that we knew a great deal more about the country and its resources than I had imagined. Moreover, between the period of the debate and the time at which we agreed to send out the expedition, the subject had been much in the public mind and had been much discussed in the public press, and we felt convinced in adopting a policy of action we should have the support of public opinion, of the existence of which up to that time we could not satisfy ourselves, and without the support of which in this country no enterprize can be reasonably undertaken. Without these three things—first, the conviction that the employment of force was necessary; next, that the expedition was physically possible; and lastly, that we should be supported by public opinion in the use of it—we could not, and we ought not to have decided to act. That is my answer to the question—"Why did you not come to the decision of embarking in the expedition sooner?" If, on the other hand, we are censured for undertaking the expedition with undue haste, instead of waiting till the opening of another Session, my reply is equally clear. There was not a week to lose. A delay of even two or three weeks would have probably involved the loss of the year. It must be borne in mind that operations upon the coast of Abyssinia are only practicable at certain seasons of the year; and if we had wasted that season rather than have accepted the responsibility which the situation imposed upon us, I do not think that either this House or the public out of doors would have held us free from blame. There is one thing, no doubt, which we might have done. It would have been possible, four or five days before the close of the last Session, to have mentioned the policy which we had only then decided upon, instead of leaving it to be announced in the Speech from the Throne. But what would have been gained by taking that course? Will it be suggested that we could have taken the Vote at that time? If we had not taken that course it would have been useless to refer to the subject; and, if we had taken it, we should, I think, have subjected ourselves to far graver censure than any which can now fall upon us. What was the state of the House during the few weeks immediately preceding the close of the Session? The House, no doubt, was still sitting; but at least seven-eighths of those who occupy these Benches on both sides had disappeared. Many of them were scattered not only over England, but Europe, everywhere between Norway and the Mediterranean. To the best of my recollection there was only an average attendance during the last week of between sixty and seventy; and, moreover, those who had gone had gone upon the distinct understanding, invariable in such cases, that nothing remained to be done but to wind up the formal business of the Session. They had disappeared. To bring them back was impossible. To have proceeded with this business in the absence of seven-eighths of the House would have been, in our judgment, something like perpetrating a fraud. In substance, whatever it might be in form, to have snatched a hasty Vote from the House, the majority of whom were Members or habitual supporters of the Government, and to have made such a Vote an excuse for putting off all discussion regarding the expedition till February, would have been a far more unconstitutional course than the one which we have pursued. As to evading responsibility, that accusation is childish. It is plain that whatever other results it may have, the course we have taken has increased and intensified our responsibility. Our personal interest lay in exactly the opposite direction. There were three alternatives open to us. One was to put off all action for fifteen months, another was to take a Vote in August, thus pledging the whole House by the Vote of a small portion; and the third was to call Parliament together at the present time, leaving the House unpledged, and committing only ourselves, in the confident belief that our proceedings would be recognised and sanctioned the moment Parliament assembled. The first alternative would have been feeble; the second unfair; and the third alone remained, open, no doubt, to some objection, but, on the whole, in our belief, the least inexpedient. Well, Sir, we have incurred expense, but we have incurred no more than a necessary expenditure; and we believed that to postpone that expenditure was to delay the prisoners for at least another year in Abyssinia—a policy which we believed England would not sanction. We have called the House together at the very earliest possible moment compatible with the personal convenience of Members, in order that their judgment might formally be taken upon what we have done, and on what we are doing. From that judgment we shall not shrink; and even if it be adverse, which I cannot contemplate, I, for one, shall not feel less convinced that, so far as the weakness of human judgment allows, we have in this painful and difficult matter done neither more nor less than our duty.

MR. HORSMAN: Sir, I waited for a moment supposing that the noble Lord (Lord Stanley) would be followed by some person on this side of the House who might be more disposed than I am to take issue with him on the policy of the Government in deciding upon this expedition. It must have been satisfactory to the House to have heard the speech of the noble Lord. It must also have been a great advantage to the noble Lord to have an opportunity of addressing the House, because on those points of my right hon. Friend the Member for Calne (Mr. Lowe) which he thought were open to be grappled with he gave him an answer. I hope, however, that on those other points in the speech of my right hon. Friend to which no reply has been given by the noble Lord we shall have an answer in the course of the debate. I am not surprised at the uneasiness which has been exhibited on the part of the Government respecting the grave position in which they stand with regard to the Abyssinian war. I can say that I do not remember the House to have ever before been afflicted with so disagreeable a duty as that of either assenting to or dissenting from the policy now before us—because, as my right hon. Friend the Member for Calne said, we have no choice; we must accept the situation with all its consequences. But, at the same time, it is open to us to complain—it is our duty to complain—and I hope the Government will give some answer to our complaints. We have been led into this position rather blindfold; we have been kept in ignorance—in darkness. We have not been asked for our opinion of this war—we have not been asked for our opinion of the expenditure—because it is only in the month of November, after we have been actually plunged into these hostilities, that these papers are put in our hands, by which we now discover to our surprise that so far back as the month of April last the Government had abandoned all hopes of a peaceable solution of the difficulty, and that from April to August, during the whole of which time Parliament was sitting—though on that point the Chancellor of the Exchequer now throws some doubt—I think it is clear from these papers that during all those months an expedition has actually been preparing, which we knew nothing of, which we heard nothing of, which we expected nothing of, till we were summoned to the Bar of the House of Lords to hear Parliament prorogued; and of which we knew nothing positive till we were actually called together in the month of November, three months after the war actually commenced. That is a part of the case which neither the Chancellor of the Exchequer nor the noble Lord has answered. There are two distinct questions raised by those papers, and raised by my right hon. Friend the Member for Calne; but to only one of these has the noble Lord or the Chancellor of the Exchequer addressed himself to-night. They are questions which deserve very different treatment. There is the question of the expedition, on which I think the Government are entitled, not only to great consideration and forbearance, but also to a sympathy with them in the difficulties with which they have to cope, and a favourable construction of their acts. While the noble Lord was speaking of the expedition, it was impossible not to observe what a feeling of uneasiness oppressed him. The tone of his whole speech was that the Government felt the affair to be a most serious one; but they could not help sending an expedition. The affair is a most serious one—more serious, perhaps, because of the insignificance of the foe as compared with the magnitude of the undertaking. It is serious, again, because we know that our friends are in the hands of a man whose nature is so constituted that it is impossible for any one to calculate as to what he may do next. The noble Lord referred to the early life of King Theodore—to the vigour and energy of character which he at one time displayed—and remarked on the fact of his being so much changed. Our Ministers have represented him as being a man wholly under the influence of his passions, and guided by no rule of conduct. They have felt obliged to approach him as they would a tiger; they have endeavoured to extricate his captives as if the latter were in the possession of a wild beast; they have gone on flattering him and offering him every mode of conciliation till every mode of conciliation has been exhausted, and the Government has felt compelled to face that war with all its uncertainties to which the noble Lord alludes. No one can calculate on the probable conduct of a man who puts his own soldiers to death in cold blood. It is possible, as the noble Lord has remarked, that when he hears the expedition has landed he may give the captives up. That is just possible. It is possible, also, that the rebels may welcome us as allies; but it is also possible that our presence may reconcile the differences, and that our army may have to contend with the difficulties of a march through the enemies country. The noble Lord has told us that all these contingencies have been considered, and that Government had come to the conclusion that they had no option but to march at all hazards to the release of these captives. But though the immediate object of this expedition is to relieve the captives, we must be influenced in this matter by that other consideration which the noble Lord put so well and so forcibly —namely, that in extending our active aid to these unhappy captives we are proclaiming protection to great numbers of our countrymen in the East. Therefore, on the question of the expedition itself, I do not take issue with the Government; but as to the other point raised by my right hon. Friend the Member for Calne, I was surprised that the noble Lord passed by so lightly such a strange departure from the paths of the Constitution as withholding information from the House and engaging us in wars and the expenses of war without the consent of Parliament. I think that neither the right hon. Gentleman the Chancellor of the Exchequer nor the noble Lord the Secretary of State for Foreign Affairs kept clearly before them what was the complaint against Her Majesty's Government. I confess that till I read the blue book which has been delivered this Session I had no idea of the state of things which had existed previously to the close of last Session. Papers were delivered in the Autumn of 1866, but they did not bring events in Abyssinia down to later than the autumn of 1865. At that time Mr. Rassam had not yet been made a prisoner. But during last Session there were two authoritative declarations from the Government as to the state of the negotiations. Of course, we accepted those as accurate and complete. One of those was the speech of the noble Lord on the 26th of July, the other was the speech of Her Majesty on proroguing Parliament. But I was sorry to find, when I looked into the blue book, that it was impossible to reconcile those official declarations with the facts as set forth in the papers now presented to Parliament. It is impossible to reconcile the statements of the noble Lord on the 26th of July with the papers which he himself had in his possession. My right hon. Friend the Member for Calne read a portion of the speech of the 26th of July; but perhaps the noble Lord will excuse me if I now, for the purposes of argument, recall to the recollection of the House what were the main characteristics of his observations on that occasion. In answer to arguments in favour of an expedition, the noble Lord spoke of the uncertainty of such an undertaking; of the difficulties arising from climate; of our ignorance of the country, and of the necessity for further information. A few evenings ago the noble Lord reminded us that on that occasion he had guarded himself from giving any pledge for or against an expedition. In listening to the noble Lord on the 26th of July I believed, as the House believed, that even the practicability of an expedition was at that time a question of doubt with the Government. I believed, and I think the House believed, that the Government were instituting further inquiries, and that on the result of those inquiries was to depend the action of the Government, which was still a matter of doubt. Was that the impression the noble Lord intended to convey? because, if it was, I am sorry to say it was directly at variance with the facts contained in the blue book. No one who had listened to that speech and who had not read the papers in the blue book would have supposed the inquiries of the Government were then so far completed, and their conclusions so far matured, that an expedition had virtually been decided on, and that the preparations for that expedition were in a state of advancement. Let me inform the House that the noble Lord was not then waiting for further information as to the state of Abyssinia. He was waiting for a reply from the King of Abyssinia, which reply he had made up his mind would be unfavourable. In consequence of this being his impression an expedition had virtually been decided on, and for that expedition expenses had been incurred. Am I stating what is inaccurate?

Sir STAFFORD NORTHCOTE: Quite incorrectly. When that speech was made, no expenditure of any kind had been incurred.

Mr. HORSMAN: I shall be glad to be corrected if I am wrong; but I think I hold in my hand the evidence of what I have stated. In the Queen's Speech it was stated that a peremptory demand had been addressed to the King of Abyssinia, and that on the answer to it depended whether there should be a resort to arms. What was the meaning of that paragraph in the Speech from the Throne? It implied, as plainly as words could do so, that a demand was to precede the resort to arms; that the answer to that demand was being waited for; and that the actual expedition stood over and was not to be decided on till that answer should have been received. Does the right hon. Gentleman deny that at the time that Speech was made an expedition had been determined upon, and that at that very time we were, in fact, at the commencement of military operations? The right hon. Gentleman says that I am mistaken in saying that before the noble Lord made that speech the expenditure had been practically decided upon and preparations made for it.

Sir STAFFORD NORTHCOTE: I said that at the time the speech was made —on the 26th of July—no expenditure had been incurred.

Mr. HORSMAN: But the arrangements had been made in the Government Departments which would cause expenditure to be incurred. Does the right hon. Gentleman deny that? Of course, I can only repeat what is stated in the blue book as to the arrangements which had been made. Whether those arrangements were actually carried out by the Departments or not I cannot say. And now I will lay before the House the evidence of what I have asserted. The noble Lord's speech was made on the 26th of July, and I say that when that speech was delivered the noble Lord was not waiting for further inquiries respecting the interior of Abyssinia. I say that at that time the noble Lord was only waiting for an answer to the *ultimatum* which he had sent to King Theodore, and with his own mind made up that that answer would be unfavourable and would be followed by a military expedition. Does the noble Lord admit that that is correct? I understand he assents to that statement?

Lord STANLEY: I do not assent to it. You must not assume that we assent to everything because we do not at once contradict it.

Mr. HORSMAN: I only want to know whether what I allege is distinctly understood — namely, that at the time that speech was made the noble Lord was waiting not for inquiries about Abyssinia, but for an answer to his *ultimatum.* Had the noble Lord any doubt as to the answer that would be given, or as to what the action of the Cabinet would be when that answer was received? On the 20th of April, when the packet that was carrying the letter to King Theodore was scarcely out of European waters, the noble Lord wrote in the following terms to Colonel Merewether, who had recently forwarded detailed plans for an invasion of Abyssinia. The noble Lord says—

> "The fact of the King having lost sight of the rule, observed throughout all ages, of considering the person of an Envoy as sacred, and having imprisoned and detained in chains Mr. Rassam and his companions, who were sent by the Queen on a peaceful mission to him, necessarily leads Her Majesty's Government to the conclusion that peaceful relations are not the King's object, and

> that the idea of entering into friendly relations with him must be abandoned."

But the Chancellor of the Exchequer said just now that when the noble Lord made that speech on the 26th of July the hope of entering into friendly relations with King Theodore had not been entirely abandoned. But the noble Lord goes on—

> "Under these circumstances it will be for Her Majesty's Government to consider carefully the course which they shall adopt; but being unwilling, at least in the first instance, to proceed to extremities, I have addressed to King Theodore, by Her Majesty's command, the accompanying letter, which you will forward to him; and if at the expiration of three months from the date of despatching it to him, the captives shall not have been set at liberty and have left Abyssinia, you will either send home, or sell the presents now in your charge, and hold the proceeds at my disposal. I have only to add that I am in communication with the India and War Offices in regard to any further steps which circumstances may render necessary."

Now, what were those further steps? It has been stated that a preliminary inquiry was intended; but did the inquiry instituted at that time relate to the interior of Abyssinia? No such thing. It was confined entirely to the subject of military operations. The noble Lord sends to the War Office and the Navy Office copies of the military plans transmitted by Sir William Coghlan and Colonel Merewether, and in doing so says—

> "The time has therefore arrived when it is needful for Her Majesty's Government to consider what further steps it may be at once possible and advisable to take in order to vindicate the honour of the Crown and to protect Her Majesty's subjects from further harm."

That despatch was sent on the 20th of April, only four days after the date of the letter to King Theodore, and it was the commencement of the communications with the India Office and the War Office which come under the head of "preliminary inquiry." One fallacy which pervaded the speeches of the noble Lord and the Chancellor of the Exchequer is that they have thought it necessary to vindicate the proceedings of the Cabinet after the 26th of July. They said that after that date the proceedings in the Cabinet and the arrangements in the different Departments were entirely in accordance with the speech delivered on the 26th of July. But I maintain that that speech was not in accordance with what had occurred previously, because three months before that time the preparations for the expedition had been commenced, and were then in progress. Well, the noble Lord sends these plans to the right hon. Gentleman the Secretary of State for India. I understood him to say just now that before the speech of the 26th of July there were no arrangements made by the Government which could at all fall under the head of expenditure. Now, what was the answer of the right hon. Gentleman to that communication from the Foreign Office—

> "I am further directed to inform you that the Secretary of State of India in Council wishes it to be clearly understood that, while he is anxious to afford all possible assistance for the furtherance of the object in view, by placing the forces of India at the disposal of Her Majesty's Government, he must stipulate that the revenues of India are not to be subject to any portion of the expenditure which may be incurred for an object in which that country has no direct interest."

Could any one doubt that the object in view was the fitting out of an expedition, and that the expedition was then in course of preparation? Mr. Murray, of the Foreign Office, writes by the noble Lord's direction to Sir Edward Lugard, as follows:—

> "I am directed by Lord Stanley to request that you will suggest for Secretary Sir John Pakington's consideration, whether, pending a final decision on the course to be pursued by Her Majesty's Government, it may not be desirable to make preliminary inquiries as to the precise steps to be taken in the event of its being found ultimately necessary to resort to force. At present there is no intention of doing so. The Armenian Patriarch at Jerusalem has sent a mission to Abyssinia for the purpose of trying to effect the release of the captives, and Lord Stanley is awaiting the result of the letter which I informed you he had addressed to King Theodore, and which was despatched from Massowah on the 17th of May. Nevetheless, as the time for action in Abyssinia seems to be limited to the period between the 1st of November and the 1st of June, it might be well for Her Majesty's Government to be furnished in time with all information calculated to assist them in their decision, in case warlike measures should hereafter be deemed inevitable."

That proves the correctness of my assertion that the noble Lord and the Cabinet were waiting for an answer to the *ultimatum*, and not for further inquiries about Abyssinia. For what was the information which the noble Lord required to be procured? It certainly was not concerning the interior of Abyssinia. Then it goes on to make seven different inquiries, all relating to military operations. What is the answer of Sir John Pakington? At that time we are told an expedition was not thought of; but I think the answer is conclusive upon that point—

> "Sir John Pakington is decidedly of opinion that the force, in the event of its being determined to send one, should be provided from India, and

that the whole expedition should be organized at and proceed from Bombay, and he considers, so far as he is able to judge, that Major General Sir William Coghlan is an officer well suited for commanding the force and conducting the expedition, and also that the Rev. Percy Badger should be attached to the expedition as political agent and interpreter. With reference to paragraph 7 of Mr. Murray's letter, it appears to Sir John Pakington that it would be advisable as a preliminary step that Major General Sir William Coghlan should proceed to Massowah as soon as practicable, accompanied by Mr. Badger, and be met there by a selected medical officer, a Commissariat officer, and an officer of the Quartermaster General's department from Bombay, to inspect the locality and settle what arrangements would be necessary for the landing, reception, feeding, &c., of the force in the event of its being necessary to send one."

These extracts prove that so far back as the month of April the noble Lord had made up his mind that the answer from the King of Abyssinia would be unfavourable, and that an expedition would be despatched. So well does it seem to have been understood that an expedition was decided on, that the Secretary for Foreign Affairs was actually in communication with the Secretary of State for India as to how the troops were to be provided, and how the expense was to be borne. The Secretary for War went further, designated the port from which the expedition was to sail, nominated the Commander-in-Chief, and went into minute details about the Medical, the Commissariat, and the Quartermaster General's department, and about the feeding and the landing of the troops. And yet at the time the noble Lord was understood to tell us that the Government had not in the least made up their minds as to the practicability of an expedition, and that they were waiting for further information, although, in reality, the different departments were in a state of the greatest activity and advanced preparation. There are always great allowances to be made for omissions in debate, especially in a speech made late at night; but Her Majesty's Speech was a written document, deliberately prepared and carefully revised, and yet what was the language employed in it? It said that Her Majesty had addressed to King Theodore peremptory demands, upon the answer to which would depend the necessity of resorting to force. At that time the Government had sent their *ultimatum,* and were awaiting its result, and that result was communicated to the Cabinet, as the noble Lord reminded us, on the 13th of August. It was, as had been foreseen, unfavourable. And what did the Cabinet then do? They did what they had all along determined upon. So prepared were the Government, that not one moment was lost. On the very day—August 13—on which the unfavourable answer was received, the right hon. Gentleman the Secretary for War sent a telegram to Bombay, appointing Sir Robert Napier Commander-in-Chief; and on the very next day he followed it up with this telegram:—

"Tell Sir Robert Napier to make peremptory demands for the delivery of the captives, and to follow it up by such measures as he thinks expedient."

I say that that telegram was war. We have been at war from the very day on which it was sent. I concur in what was said by the right hon. Member for Calne (Mr. Lowe), that the House was not treated candidly by the Government when, in Her Majesty's Speech, it was informed that a peremptory demand for the delivery of the prisoners had been made, and that a resort to arms would depend upon the answer to it, for it is now proved by these papers that the peremptory demand was not to precede, but was to follow, the invasion of Abyssinia, and that it was to take the form of a military summons, made by a hostile force, for the release of the prisoners. I do not see how to reconcile these discrepancies, unless there be papers that are kept back. So far as these papers inform us, they show that on the 26th of July, so far from the Government not having made up their minds, an expedition had been in course of preparation for three months, and so far from the Government waiting the result of an answer to a peremptory demand, on the 24th of August the answer had been received, and we were already in a state of war. Under these circumstances, what are the relations of the Government to the House? What is the position of the House of Commons in regard to its control over the public expenditure? There has been no constitutional principle more thoroughly recognised and established than that when such a course of action has to be taken in a matter affecting the interests and honour of this country and adding to its burdens, it is the duty of the Executive to take the earliest opportunity of communicating that fact to Parliament. It is the Prerogative of the Crown to declare war; it is the prerogative of Parliament to forbid expenditure until the causes of and the necessity for war and all the policy of the Government have been explained. As we all know, there is no subject on which the House of Commons has been so sensitive as the Sovereign taking upon himself, on his own authority, to declare war and incur expenditure, and then calling upon Parliament to vote the supplies. We have not to go far back for a precedent and for an authoritative declaration of the law. Only ten years ago the question of the war in Persia was brought before the House. Lord Palmerston was Prime Minister, and a complaint was made against him that he had involved the country in war during the Recess, and had not called Parliament together. He was impeached for that proceeding by my hon. Friend the Member for Sheffield (Mr. Roebuck), who said the noble Lord had violated the Constitution and treated the House of Commons with disrespect. The hon. Member moved a Vote of Censure, and in an interesting debate, which is now to a certain extent valuable and instructive, the present Chancellor of the Exchequer and the late Chancellor of the Exchequer took prominent parts, strongly supporting the views of the hon. Member for Sheffield. The right hon. Member for South Lancashire divided with him for censuring the Government, and the present Chancellor of the Exchequer only excused himself for not doing the same by showing that the time for the Motion had gone by, and that the censure should have been moved on the Address in answer to the Speech from the Throne, in which the war had been alluded to. It also happened that there had been a dissolution in the meantime, and the country had condoned the act. So strong, however, was the feeling of the House on that occasion, that I believe there was a very general impression that Lord Palmerston only evaded an adverse decision by the speech which he made. He did not excuse or justify what had been done; he gave explanations to show that it could never be drawn into a precedent; and he asserted in the broadest terms all that the hon. Member for Sheffield and those who had followed him had asserted, that it was the duty of the Executive, the instant war was declared, to take the very first opportunity of communicating the fact to Parliament if it were sitting, or of calling it together during the Recess. It was the unqualified manner in which Lord Palmerston gave in his adhesion to that principle which carried the feeling of the House with him, and gave him a large majority on that occasion. It has been shown by the right hon. Member for Calne, that this case of Abyssinia is a very different and a much stronger one than that of Persia. The complaint against Lord Palmerston was that he had delayed for a fortnight only to call Parliament together to tell it of a war which had broken out during the Recess. The complaint against the present Government is that they prorogued Parliament without telling it of a war which had broken out while Parliament was sitting; that they kept that war a perfect secret; that they put words into Her Majesty's lips which conveyed to the House an erroneous impression; and that for three months they carried on that war by their own authority, as entirely free from the constitutional control of the House of Commons as if they were the subjects of an absolute monarch. That is the question which my right hon. Friend thought was deserving of the consideration of the House of Commons. I think it is a question we cannot well evade. It comes back upon us over and over again. It is quite true that parties are in a peculiar state in the House. We are living under a strong Government, which may take great liberties. We are a disorganized House of Commons, which must submit to great indignities. At the same time, we must remember that this is one of those questions on which the House of Commons cannot evade its responsibility. We cannot shut our eyes to the fact that this war expenditure and these preparations for war have been going on for seven months without the knowledge and consent of Parliament; that actual war has been going on for three months, and expenditure incurred without the knowledge or consent of Parliament. And now we are called together in a November Session to be told that we have nothing to do but to pay the bill. Of course we shall pay the bill; but if we do so without recording, by way of protest, our sense of the manner in which the expenditure has been incurred, we shall add another to the many instances with which the worst periods of English history abound, of Ministers who have forgotten their duty to the Constitution, and of Parliaments that have deserted their duty to the country.

Mr. AYTOUN said, he would not enter into the question whether the war ought or ought not to have been undertaken. That question had been already decided by Her Majesty's Government, and the House of Commons had no option left but to vote the supplies. The Government, by making preparations and sending out orders for the embarkation of a force for Abyssinia, had placed the country in such a position before the world, that there was no receding with honour, and the matter had been virtually taken out of the hands of the House of Commons. There could, therefore, be no advantage in discussing the merits of the expedition. But there were other points which called for observation. It became them well to consider how to avoid for the future becoming involved in entanglements such as those which had led to the necessity for this expedition. That was a question which could only be answered by taking a short retrospect of the events which had brought about the present difficulty. About twenty years ago a mission was sent out from India for the purpose of establishing commercial relations with Abyssinia; and a few years afterwards Consul Plowden succeeded in concluding a treaty with the ruler of that country. Consul Plowden was subsequently killed in one of the native wars. A great opportunity was neglected when our connection with that country was severed by his death. When these events occurred the honour of the country was not involved in the maintenance of the treaty then existing. King Theodore had done nothing to insult or injure our honour—indeed, he had put to death a large number of natives in revenge for Consul Plowden's death—and the neglect of that opportunity to put an end to all connection with Abyssinia threw upon the Government of that day the responsibility of all the untoward events which had led to the present expedition. Lord Clarendon, then Foreign Secretary, writing to Consul Plowden, under date October 3, 1853, said that the Government had been led to believe that advantages would arise to British interests if commerce could be opened up with that country, but that he did not entertain very sanguine expectations on the subject; and this view was justified by the Consul's despatches, which described the country as one in which the power was divided amongst a number of feudal chiefs only nominally dependent upon the King, where the condition was very similar to that of France under Louis XI., and where no one was thought the worse of whatever crime he had committed. The only course consistent with sound policy would have been to have allowed our relations with Abyssinia to drop. But that was not the course followed by successive Governments. Consul Cameron was afterwards sent out, with instructions from Lord Russell not to interfere in the affairs of Abyssinia, but to endeavour to compose differences between the various conflicting powers of the country, and to exercise surveillance over the intrigues of Foreign Powers. It was impossible that any one could give satisfaction in such an exceedingly embarrassing position, and the Government that sent out Consul Cameron was primarily responsible for all the difficulties that had arisen. The present Government were not in the slightest degree responsible for those difficulties—the responsibility rested on the previous Liberal Governments. He could not, however, think that with regard to the constitutional question the present Government were equally free from blame. He could well believe that it was impossible for them to come to any conclusion sooner than a few days before the termination of the Session as to whether the expedition should be despatched to Abyssinia, and he did not think the noble Lord required to vindicate himself from the charge of having, on the 26th of July, said one thing when he meant another. But if the opinion of the Government had changed between the 26th July and the time when they came to a different decision, it was quite open to them to announce a different conclusion; and he did think that having determined to send out an expedition, the Government ought not to have put off making the announcement till the delivery of the Speech from the Throne upon the day of the Prorogation. At that time it had become quite impossible for them to bring forward any Resolution so as to obtain an expression of opinion from the House on the question. The noble Lord at the head of the Foreign Office told them that one course which might have been pursued would have been for the Government to propose a Vote on account. He thought that would have been a fair and proper course. It would then have been within the power of any hon. Member, if he thought fit, to propose a Resolution condemnatory of the course suggested, and thus have controlled, in a constitutional manner, the action of the Government. Why was not this done by the Government? The noble Lord told them the state of the House was such that it would have been a mere idle ceremony to pursue any such course. It was possible it might have been so, because the majority of hon. Members were at that time scattered all over the world, so that even if a call of the House had been ordered they could not have been brought back in time to render the discussion anything more than a mere form; but if the Government had taken that course they would have relieved themselves from the charge now brought against them, that they did not act in strict conformity with the spirit of the Constitution, as concerning the method of dealing with questions involving the expenditure of the public money; and in such case, if the matter had turned out to be one of mere form, the onus would have rested upon those Members who were away, and not with the Government. But great as was the importance of all the questions discussed that evening with reference to the practicability of carrying out this expedition, they sank into insignificance beside the question of how we were in future to avoid becoming involved in complications with semi-barbarous countries. Such complications were only to be prevented by avoiding any attempt to establish commercial treaties, or to send out Consuls—by, in fact, avoiding any direct attempts to establish trade with such countries, and trusting to the efforts of Native merchants to purchase our goods at the nearest entrepot, and carry them into the country at their own risk. But he thought the constitutional question as to the voting of the supplies was one of still greater importance, and he had ventured to trouble the Committee upon it, because he felt that if he had remained entirely silent it might be supposed that he acquiesced in, and approved of the course pursued by the Government, instead of feeling as he did the strongest disapprobation of it.

Captain VIVIAN said, he rose to make a few observations upon the important matter that was then under discussion. He should not follow those hon. Members who had spoken with regard to the constitutional point as to whether the Government were right or wrong in carrying on this war for three months without calling upon Parliament for a sanction for their proceedings. Upon that point he should only say that he thought, notwithstanding the able speech of the noble Lord the Secretary of State for Foreign Affairs, that the discrepancies which appeared between the noble Lord's speech on a former occasion, and the action that was being taken at the very moment it was delivered by the Government, had not been satisfactorily explained. Neither would he enlarge upon the policy of sending this expedition to Abyssinia further than to say that he agreed that the honour of England was concerned in liberating these prisoners, and that the prestige of England would be seriously affected if we had not determined on making this effort. But while he approved of the policy of the Government in sending out an expedition, it was a different thing to approve of the means which they had adopted in carrying out their policy. He had listened with attention to the speech of the Chancellor of the Exchequer, and to that of the noble Lord; but elaborate as they were with regard to all points with respect to the expedition, they almost entirely failed to touch upon the point of the reasons which had induced the Government to form the expedition on so large a scale. He took issue with the Government on this point, and many much more competent men than himself agreed with him in the opinion, that this expedition had been formed on an uselessly extravagant scale. The noble Lord, in one passage of his speech referring to this point, justified the course pursued on the ground that the expedition was based upon the opinion of the officer appointed to command the force. Although he (Captain Vivian) believed the Government could not by any possibility have chosen an officer more capable of performing the difficult duty devolving upon him than Sir Robert Napier, yet he must say that matters had changed very much indeed if the whole dictation was to be left entirely to the officer appointed to command the expedition. It certainly was not so in former days, and he thought it rather an unwise course to pursue. But while the noble Lord passed lightly over this point, by saying that this was only a question for military men to consider, the whole of the rest of his argument went against such a large force being employed. He said that at the time of the first Burmese war we knew less of the Burmese Empire than we now did of Abyssinia; and this was perfectly true. But the first Burmese war was carried to a successful issue with a force of 3,000 men, though we had to go 400 or 500 miles from the base of our operations; and it was equally true that the Scindian campaign was carried out successfully, with a force of 2,800 men. Then, when we invaded the Empire of China with untold numbers of disciplined troops against us, we undertook that great operation with a force of less than 3,000 men; and yet we were about to send to Abyssinia a force of 12,000 troops to attack a man who could not possibly bring 4,000 men into the field, and who was on his last legs; surrounded by tribes all in rebellion against him, and those tribes, according to the latest information, were already coming in and giving their adherence to the advanced guard of our army. Under the circumstances, we should be very fortunate if we got off with paying anything like so little as the Chancellor of the Exchequer had shadowed out as the probable expense. He really believed that the large number of men sent out would more likely tend to failure, if it were possible, than to success; because the Committee must remember that 12,000 men, two-thirds of whom were composed of Indian troops, involved about 40,000 mouths to feed, and this would, of course, vastly increase the difficulties of the Commissariat. In the blue book there was a letter written by a French gentleman who travelled with Mr. Scarlett in Abyssinia some years ago, in which he said that he believed one of the greatest dangers of such an expedition was a too considerable number of troops; that they could not form in Abyssinia an army capable of stopping for an hour the march of 1,000 English soldiers; 500, or even less, would almost always be sufficient, and all that they had more than that would be an embarrassment by means of the difficulty of transporting them, and the danger of exciting the fears of the population, who would be probably disposed otherwise to meet them as those who would free them from their enemies. If this were so, it seemed to him (Captain Vivian) that the Government had been rather indiscreet in leaving the whole of the control of the expedition as to numbers in the hands of the general officer who was to command it; for any officer would naturally wish to have as large a force under his control as possible. But even if the Government could justify sending so large a force, he should be glad to know how they would justify the very extravagant way in which this expedition had been carried out. He alluded in particular to the purchase of mules, in reference to which there were some passages in the blue book which excited considerable anxiety in his mind. There were various other details with which he would not weary the House then; but which he thought required considerable explanation, and to which he should recur on some future occasion.

Sir HARRY VERNEY trusted that no injustice would be done to Earl Russell, for the blue book showed that that noble Lord had warned Consul Cameron against mixing himself up in Abyssinian affairs. He believed they all hoped that this manifestation of power might not terminate in war, although it was a warlike expedition; but if war was to take place, what he desired to impress upon the Committee was the great importance of obtaining solid geographical and scientific results respecting the country. Abyssinia had been very little travelled, and he hoped that instructions would be given that the scientific gentlemen who went with the military expedition should have every facility for investigation, and all the assistance that the British authorities could give them. The country was the earliest Christian country in the world, and he believed it was the only Christian country in the East that had never been conquered by Mahometans. There were still existing in different parts of Abyssinia Christian monasteries, and no doubt manuscripts were likely to be found there, and information collected both as to Christian history and scientific matters that might prove to be of the utmost importance. The kingdom of Ethiopia formerly extended over part of Arabia, and it was possible that information as to the latter country might be collected by competent archælogists.

Mr. LABOUCHERE observed, that without going into the question how this complication had arisen, or where the fault of this expedition rested, he should like to put one or two practical queries, which he hoped some Gentleman opposite would answer. Before he read the blue book or heard the speech of the noble Lord, he had imagined that we were going to war for a clear and definite purpose—namely, to obtain the release of the English subjects who were held in captivity. He was under the impression that Consul Cameron being our Consul at Massowah had been ordered to deliver a letter to the King of Abyssinia; that he remained there contrary to his instructions; and that on a charge of entering into communications with some of the King's rebel subjects, he was imprisoned: he was under the impression that Mr. Rassam was afterwards sent to endeavour to effect the release of Consul Cameron; but that he was also imprisoned, and he understood that we were going to war for the sole purpose of obtaining their release by force of arms. But when he came to read the blue book he found that we were about to do a great deal more. Mr. Rassam had been sent to release an English captive; Mr. Flad was sent with a letter from the Queen to endeavour to release English captives; but it now appeared, according to a despatch, dated September 18, we demanded the release not only of English captives, but all European captives. What he (Mr. Labouchere) wanted to know was, whether we were going to insist on the release of Mr. Stirn and Mr. Rosenthal, the missionaries, who were also imprisoned there. He had the highest respect for these gentlemen, and for the cause which they represented; but they were not English subjects at all, but Prussian and Wurtemburg subjects, and we were not responsible for them. Thus much he learned from the blue book; but he also gathered from the speech of the noble Lord that we were to do more even than this. The noble Lord told them that this war was to be undertaken not only for the release of the captives, but in order to keep our prestige in India. The noble Lord's words were—"You cannot suffer an insult from a Native Potentate without punishing it; otherwise you will lose your prestige in India." So that, according to this doctrine, if King Theodore were willing to release all his English and even all his European captives, we must still go to war with him, in order to inflict punishment on him to keep up our prestige. He (Mr. Labouchere) did hope, therefore, that before the close of the debate some Gentleman opposite would distinctly state what we were going to Abyssinia for, and under what circumstances we should be willing to withdraw; would state whether we should be ready to do so simply when the British subjects were released; or whether we were to go on till all the European captives had been set at liberty; or whether we were, besides this, going to war to avenge an insult we had received?

Mr. OSBORNE: Sir, it occurred to me, during the debate to-night, that it had a very unreal appearance. I cannot help thinking that unreal appearance has been assumed very much from pitching the debate at the beginning in what I may call "too high a key." There has been too much of an endeavour to make this a party debate. Now, Sir, in treating this subject, which is a great Imperial question, I shall endeavour to steer clear altogether of an attack upon any particular Government or upon the particular Government that is in. We are here to consider a great constitutional question. We are about to take the initiative in a Vote, the extent of which we do not know—the Chancellor of the Exchequer puts it at £4,000,000—it may be more, it may possibly be less, I am not in a position to judge of that—I confess I think it more likely to be more than less. We shall have to discuss hereafter, I suppose, how it is to be raised. At present we have to discuss how far the Government are to blame for having involved us unnecessarily in this expedition. Now, I should have been better content to speak upon this question had my right hon. Friend the Member for Calne (Mr. Lowe) moved an Amendment; for I cannot think that after having made such broad charges, pitched in so high a key, he was justified in merely criticizing without testing the opinion of the Committee by a vote. The real constitutional question has rather had the go-by given to it on both sides. The Chancellor of the Exchequer, very judiciously, no doubt, for his own purposes, merely took up the matter from the year 1866. Now this question does not commence with 1866. This is one of those mischievous legacies that have been left us by former Governments. I may say it is a Palmerstonian legacy. For the last twenty years we have been thrusting our intervention everywhere, in every quarter of the globe, under pretence of advancing what is called British influence and prestige and our commercial interests. It is all very well to twit this Government or the last with it. It has arisen solely from the policy of 1848. We all know what took place in that year. Mr. Walter Plowden, a most able man—nobody who has read his despatches can doubt his ability, and nobody who has read them would ever wish to send an expedition to Abyssinia—was sent in 1848 to Abyssinia. No—not to Abyssinia; but to an island in the Red Sea—Massowah. He was not appointed till 1848. In 1848 Mr. Plowden was appointed Consul to Abyssinia; but Abyssinia affording no place for him, he was obliged to go to an island in the Red Sea, which is not Abyssinia. He was sent to inquire into the best means of establishing commercial relations with that country. And what did he do? He involved himself in all the political quarrels and feuds between the chiefs of the country, and eventually lost his life in the service of King Theodore, who had dethroned and murdered his father-in-law, and who offered up the lives of 1,500 men to Mr. Plowden's memory, by way of conciliating the friendship of the Queen of England. That was the *fons et origo mali.* We persisted in interfering and sending Consuls to a barbarous State like Abyssinia. The whole thing begins with sending Mr. Plowden as Consul. Well, Sir, what comes next? It is all very well for the noble Lord (Lord Stanley) to say that he neither praises nor blames that policy. All our Foreign Secretaries have endorsed it. Lord Malmesbury, when Foreign Secretary, not only endorsed it, but on the 13th of June, 1865, he urged the Government to undertake an expedition. Lord Clarendon endorsed it; and so did Lord Russell, although in 1861 he said the treaty which Mr. Plowden had made was a dead letter. By the way, it is rather a curious fact that though Mr. Plowden concluded that treaty in 1848, it was never laid before Parliament till 1852. The fact is, Parliament all along has been hoodwinked and kept blind to these transactions. It has never been called upon to put its fiat upon them till it is now called upon to vote £4,000,000. What did Lord Russell do—of whom, I may say, we might have hoped better things from his despatches? In 1861 he sends Mr. Cameron to fill up this Consulate to Abyssinia. His instructions to Mr. Cameron are excessively meagre. He tells him, I admit, not to mix himself up in the internal relations of the Abyssinian Empire. But what does Consul Cameron do? Why, instead of obeying, he goes directly opposite to his instructions. He mixes himself up in all the internal relations of the country, and, in place of siding with the King, he thwarts him in every way—I will not weary the Committee by quoting from the blue book—he takes the Bogos tribe under his protection. His conduct is, however, disavowed by Earl Russell and by the Under Secretary for Foreign Affairs, and the noble Lord the present Secretary of State tells us he will neither praise nor blame him. Now, I examined the blue book with perfectly impartial eyes, expecting to find in it a defence of the Government; but I find that this war has been entirely produced in the first place by sending a Consul to Abyssinia, and in the next place by the conduct of Mr. Cameron. I do not wish that anything should happen to him in life or limb; but I say he has landed this country in an expedition the results of which we cannot foresee, except that it will prove most expensive, and that it cannot cover us with much honour. There is a short history of the reason why we are involved in this expedition. Now there are two questions which we have to consider—how far are we justified in demanding the release of these unfortunate captives, and how far are the Government justified in undertaking this expedition in the absence of Parliament. I believe the expedition was urged upon the Government in the first instance mainly by Members on this side of the House. I remember what happened perfectly. When the subject was first brought before Parliament I was in the state of ignorance of many Foreign Secretaries, and did not know where Massowah was. I came down to the House late one Friday evening, when the Notices on the Paper are so numerous that one never knows what is going to arise. There had been an Irish debate on the dietary of prisoners, and that debate lasted till half past ten. There was actually a squabble between my hon. Friend the Member for Poole (Mr. H. Seymour), when he brought forward his Resolution urging compulsory measures to recover the prisoners, and an Irish Member as to whether the dietary debate was over and the Abyssinian debate had begun. Most hon. Members had left the House, and the speech of my hon. Friend the Member for Poole was made to a House of only thirty-five Members, and it might have been counted out at any time. Not a single hon. Gentleman on this side the House who had occupied the prominent, or who might be supposed likely to occupy in the future, the prominent position of a Minister of the Crown, was present or took part in the debate. My hon. Friend's speech was "full of sound and fury," urging that an expedition should be sent; and it was backed up in an able and statesmanlike speech, showing great knowledge of the subject, by his brother-in-law, the Member for Frome (Sir Henry Rawlinson). He was the first person who introduced into the debate the mischievous notion of going to war for the sake of maintaining our prestige in India. I shall have to say a word about that by-and-by. What took place then? There was another hon. Gentleman on this side of the House, the hon. Member for Southwark (Mr. Layard), who naturally felt interested in the subject, because he had been the means of sending out Mr. Rassam—a most respectable gentleman, who, I believe, conducted himself in a way satisfactory to everybody, but who, I maintain, was a most improper person to send as an Envoy to the Emperor of Abyssinia, on account of his Asiatic origin, and on account of his position as a private gentleman. Mr. Rassam was, however, sent there. And here I have to complain of an important omission in the blue book. We have heard a great deal in the course of this debate about want of information—and I believe it to be excessively meagre. What I want to know is, why the letter with which Mr. Rassam was charged from Her most Gracious Majesty to the King of Abyssinia does not appear in the blue book. We do not know its contents, nor what offers were made by Mr. Rassam to the King of Abyssinia, and I think I am justified in saying that the information on which we are proceeding is excessively meagre and unsatisfactory. Well, Sir, to continue the tale of that night's debate, even my hon. Friend the Member for Southwark (Mr. Layard), who up to that time had pooh-poohed the notion and had resisted all appeals to force to release the unfortunate prisoners, thought himself obliged to confess that an expedition might become necessary. Now, as regards expeditions to recover our Envoys, restore our prestige, or any of those other objects which are dressed up by Ministers in order to draw money from the pockets of the people, I admit that there may be cases where it is necessary to show foreign countries that we are determined that our Envoys shall not be insulted or detained. I grant that; but, at the same time, I do not think any case can arise where it is necessary, while endeavouring to rescue such Envoys, to hoodwink the House of Commons. Without making any party attack on the Government, I think they were a little lax in not communicating their decision to Parliament. There is a confidential letter from the Secretary for India, dated the 31st of July—and the Government have been very frank in publishing confidential letters—which shows that the Government had then decided to make preparations for an expedition. Now, I think the Government having so decided, were bound to tell this House of it before the Queen's Speech was delivered, even at the risk of calling Gentlemen from Norway or from the Mediterranean. They were bound to tell the House—"We are making preparations, and shall call upon you to pay the money." I do not greatly blame them, for I can make excuses for them, and I will not push the argument too far; but I cannot help agreeing with the right hon. Gentleman the Member for Calne, that their conduct on this point is more worthy of blame than praise. Having, however, been urged by Members on this side of the House to undertake the expedition, I think the blame falls more lightly upon them than it would otherwise have done. A good deal more has been said about the speech of the Secretary for Foreign Affairs at the end of last Session than it deserves. As a Minister of the Crown, he was speaking under reserve. Ministers of the Crown must speak with a certain reserve on such matters. But I did not understand that the noble Lord debarred himself by that speech from entering upon the expedition. ["Hear, hear!"] Yes, I will be perfectly fair; and I must say, having listened to the noble Lord's speech to-night, that he put the issue and made his defence upon fairer grounds and in a different manner to what I had anticipated. But I must say I was disappointed when I heard the noble Lord talk of going to war with a barbarous and distant Power like Abyssinia for the sake of our Indian prestige. Although I cannot speak from my own knowledge, I may state on the knowledge and information of a great many officers who knew India as well as the noble Lord and the hon. and gallant Gentleman the Member for Frome (Sir Henry Rawlinson), who is rather of a warlike turn, that going to war in Abyssinia in support of our Indian prestige is a chimera. I will go farther, and say it is gulling the people of India by a sort of transmutation—by taking their troops and making them pay for them in their absence, and then saying it was for our prestige. To put the taxation on the people of India, however agreeable it might be to the constituencies of this country, is most unfair to India. No, Sir, if we are obliged to go to war with Abyssinia for the rescue of these prisoners or to restore our prestige, let us meet the question boldly and pay for it, and let the people of this country pay the penalty of having through their representatives watched over their own interests so carelessly, and allowed our Foreign Ministers to settle Consuls where they could possibly be of no use, but might eventually be a source of danger to the country. I have endeavoured to take not possibly a popular view of this question, but I hope a fair one. To say that the House is unpledged and unfettered on this question by any previous proceeding is a Parliamentary fiction. We all know that when money has been spent it must be paid, and protest as much as we may we must vote it, and the people will have to pay it. The best thing we can do is to pay with a good grace; and I think we should pay with a much better grace if we put the saddle on the right horse, and not put it on the unfortunate people of India, who know as little about Abyssinia as the generality of the Members of this House. At any rate, I say put the saddle on the right horse, and by letting the people of this country feel the burden it will make them more cautious in future about going to war, and in watching the conduct of their representatives in this House.

MR. LAYARD: Mr. Dodson—Sir, I had hoped, from the course which this debate had taken in the early part of the evening, that it would have been unnecessary for me to take any part in it; but after the speeches of the hon. Member for Kirkcaldy (Mr. Aytoun) and my hon. Friend the Member for Nottingham (Mr. Osborne), I cannot remain silent. They have renewed the accusations here which have been made in the Press, and by some Members of this House out of doors, against the late Government, and have endeavoured to throw a large part of the responsibility for this unhappy expedition against Abyssinia upon Earl Russell and myself personally. Now, it is really time that the truth should be known in this matter, and that the story of our difficulties with Abyssinia should be fully told. That it has not been told before, is not on account of any desire on the part of Earl Russell's Government that there should be any concealment from the House, but simply from the fact that if there was one piece of advice more strongly urged upon the Foreign Office than any other by Consul Cameron, by the other captives, by Colonel Merewether, and by every one capable of forming an opinion upon the subject, it was the importance, indeed, the absolute necessity, in order not to endanger the lives of the prisoners, that the strictest secrecy should be preserved as regards the measures taken for their release, and as to the communications which we were able to receive from them. Those who have read the blue books connected with the Abyssinian question, which have been laid upon the table of the House, will not have failed to observe that there were certain persons, both at Massowah and in Abyssinia, who were ready to avail themselves of all the information and reports, true or false, which they could obtain, in order to convey them to King Theodore, with the view of complicating the difficulties between him and this country, and who were determined to arouse his anger as much as possible against the British Government and the captives, in order to destroy what they considered the influence of England in Abyssinia. Moreover, in this country there was a person, if not persons, as it will appear in the sequel, whose object it appears to have been to frustrate all the endeavours which Her Majesty's Government were making to effect the release of the prisoners. Indeed, I should scarcely even now have ventured to enter fully and unreservedly into the subject, had not the Foreign Office itself released me from the obligation to remain silent, as we cannot yet tell what the issue of the expedition against King Theodore may be. It appears to me that there is much in the two blue books laid upon the table by the noble Lord (Lord Stanley) which is open to strong condemnation. I will not dwell upon the system pursued in the last blue book, of so overlaying the really important information which it may contain with useless and irrelevant matter that it is almost impossible to find that which is necessary to throw light upon the transactions to which it relates; but I wish to point out to the House the ruthless manner in which communications of the most confidential and private nature—communications which the writers never intended for the public eye—have been published. For instance, here is a letter from Mr. Flad of the most confidential character, which, in the concluding paragraphs, he most earnestly requests may not be made public, actually printed with this very entreaty attached to it. I need scarcely say that if such communications had reached King Theodore—as they no doubt would have reached him—whilst he still exercised power over the captives, their lives would have been placed in the most imminent danger.

Sir, I do not believe that the Members of the Committee are as ignorant of Abyssinia as my hon. Friend (Mr. Osborne), who has just spoken, would wish to make it appear; on the contrary, I imagine that there are few Members of this House who have not of late been what is called "getting up" the subject, and who are not now pretty well acquainted with the geography and general condition of that country. I need not therefore trouble the Committee with any sketch of its history; and, consequently, if I go back to the year 1848 with my hon. Friend, it is only to remind the Committee that at that period when a Consul, Mr. Plowden, was first appointed to Massowah, a port in the Turkish territory upon the western coast of the Red Sea, Abyssinia was divided into several kingdoms, governed by independent Kings or Chiefs, who were generally at war with each other, but who seem to have acknowledged as their nominal superior an Emperor who had no real authority whatever. At that time the principal and most powerful of these Chiefs was Ras Ali, King of Tigré. Mr. Plowden was an English gentleman who had travelled in Abyssinia as a private adventurer—I do not use the word in a bad sense, I only mean that he went there in search of adventure, and to seek for information in his private capacity as an English traveller. That he was a man of remarkable abilities and courage his letters and despatches fully prove. He came to this country and made so favourable, I may say so exaggerated, a report to the Government of the natural capabilities and resources of Abyssinia, and of the advantage which relations with that country would be to the commerce and political interests of Great Britain, that Lord Palmerston, on his representations, was induced to name him Consul at Massowah. I am not here to justify or to blame that appointment; but when hon. Members condemn it, they must remember that such appointments are very frequently made upon the representations of—indeed, I may say under very strong pressure from—Members of Parliament. Lord Palmerston, however, in sending Mr. Plowden as Consul to Massowah, evidently foresaw that, unless he was kept under proper restraint, he might involve us in political complications with Abyssinia, for the instructions which he received were very precise in directing him to reside at Massowah, and to confine himself to the protection of British trade. In his letter of appointment, dated in January 1848, he was expressly informed "that he was sent to Massowah for the protection of British trade with Abyssinia and with the countries adjacent thereto," and it is important to bear these significant words in mind, for they prove that the Foreign Office never had the intention of accrediting either Mr. Plowden or Consul Cameron exclusively to Abyssinia, as it has been so confidently asserted.

Soon after his arrival at Massowah, in 1849, Mr. Plowden went up to Gondar—at that time considered the capital of Abyssinia—and concluded a treaty with Ras Ali, who, as I have mentioned, was the most powerful Chief or King in that country. The present King, Theodore, who had married the daughter of Ras Ali, was then known by the name of Kasai. He was commencing that career which ultimately ended in the overthrow of nearly all the Chiefs of Abyssinia, and in the establishment of his authority as supreme ruler of the country. Mr. Plowden, as will be seen from his despatches, foresaw the future greatness of the rebel Kasai, and pointed out the remarkable qualities which he possessed; but, at the same time, he describes (I use his own words), "his imperious character," "his bursts of passion," "his pride," and "his fanatical zeal;" and remarks "that it would be impossible to foresee how he would receive European advances." When Kasai had overthrown Ras Ali, had taken the name of Theodore, and had proclaimed himself Emperor of Abyssinia and Ethiopia, Mr. Plowden joined his camp, and remained with him until the time of his (Mr. Plowden's) death. In fact, Mr. Plowden attached himself so completely to the King that he became, it may be said, almost as one of his subjects, accompanying him in his wars, commanding his troops, suggesting campaigns, and instructing his troops in blasting, and in various military operations. When Lord Clarendon, who had succeeded to the Foreign Office, first heard of Mr. Plowden's proceedings, he became very uneasy as to their results, and as to the difficulties in which they were likely to involve us. Accordingly, on the 3rd of October, 1853, he sent Mr. Plowden a despatch, complaining that the Government had been deceived by his reports of the commercial advantages which Abyssinia offered to England, reminding him that his place of residence was Massowah; that he had been sent out to protect British trade, and not to interfere in the internal affairs of Abyssinia, and ordering him back at once to his post. My hon. Friend (Mr. Osborne) asks me whether he obeyed those instructions. He appears not to have done so—and from a perusal of his despatches, and from that which has since happened, I am under the conviction that he was at that time really detained by the King—just as Mr. Rassam has since been although not like that gentleman, placed in actual confinement. Indeed, in a letter which King Theodore wrote to the Queen, in November, 1857, he says that "he had detained" Mr. Plowden until he was successful and fortunate, and had conquered the whole of Abyssinia; and Mr. Plowden could return to England, in company with his Ambassadors, to announce his glory to Her Majesty. It is my decided impression that from 1855 to 1859 Mr. Plowden was so detained, and that he made the best of his position in writing home to his Government. His despatches and Reports to Lord Clarendon were so able and plausible, that he induced Lord Clarendon to express a qualified approval of some of his proceedings. At the same time, Mr. Plowden was endeavouring to conciliate the King, and to induce him to accept the treaty entered into with Ras Ali, and to listen to overtures which, without any authority, he was making to him from the British Government. We actually find him telling the King that England might give him Massowah and the Turkish sea-coast. I quote his own words from his despatch of June, 1855, to Lord Clarendon, published in the second blue book, p. 45—

> "I had ventured to hint," he says "that the sea-coast and Massowah might possibly be given up to him on his consent; but though his ambition was roused at this, he feared the clause conferring jurisdiction on the Consul as trenching on his prerogative, and the time for consideration was so short that though half inclined to say 'yes,' he was too much startled at my proposals to do so."

I think it very probable that much which has since occurred may be traced to this unfortunate and totally unauthorized communication from Mr. Plowden to the King, who was thus led to believe that England was prepared to support him in his designs against Turkey and Egypt. The King, it must be borne in mind, positively refused to ratify the treaty which had been entered into with Ras Ali, one of his chief objections to it being the article which conferred upon the British Government the power of appointing a Consul in Abyssinia. This is a sufficient answer to those who maintain that both Mr. Plowden and Consul Cameron were appointed by the Foreign Office Consuls to Abyssinia, and that consequently they were right in assuming that it was intended that they should reside in that country, and not, as they were positively and repeatedly directed to do, at Massowah. By the treaty with Ras Ali that Chief was empowered to send Ambassadors to England. Theodore now wished to do so, and he even hinted that he might send his own son. Mr. Plowden communicated his wishes to Lord Clarendon. I desire to draw particular attention to Lord Clarendon's reply to this request; because it completely, to my mind, justifies that which afterwards occurred with regard to the letter of which we have heard so much, and proves that it was not the Foreign Office, but King Theodore himself who was to blame, if no answer was sent to that letter. That reply will be found at p. 47 of the second blue book. It states emphatically that the Government declined to receive Ambassadors from King Theodore unless he distinctly disavowed his intention of attacking Egypt and the Turks, on the grounds that they were our allies, and that we could not receive an Embassy from the King, which would have to pass through their territories, whilst he openly announced his intention of going to war with them.

I wish now to turn to another matter which has been very much misrepresented. It has been stated, in justification of Consul Cameron's journey to, and proceedings at, Bogos—which King Theodore has repeatedly declared was the chief cause of his anger against the Consul, and of his imprisonment—that he was fully authorized to do so by the proceedings of Mr. Plowden, his predecessor, who, with the sanction of the Foreign Office, extended the protection of Great Britain to the tribes inhabiting that province. Now, the only grounds for this extraordinary assertion—an assertion which Consul Cameron in one of his published despatches admits he had no authority, as far as he knew, from any documents in the archives of the Consulate to make, and which, he says, "he presumes" he was justified in making—are the following:—It appears from the correspondence in the Foreign Office that when Mr. Plowden was at Gondar, in 1854, the Bey of Takka, an Egyptian province on the borders of Abyssinia, had attacked a Christian district, called by Mr. Plowden "Mogos," over which both the Abyssinian and Egyptian Governments claimed authority, and had carried away as slaves a number of its inhabitants. Mr. Plowden went to Takka to intercede with the Bey for their release, as well as of that of a large quantity of cattle, which had also been plundered; but having failed to obtain it, he wrote an account of the circumstances to Lord Clarendon, who, from motives of humanity, directed the British Consul General in Egypt to intercede in behalf of the captives with the Viceroy. The Consul General did so, and directions were sent by the Pasha to the Bey of Takka to release the slaves and the cattle. This is the simple history of the so-called British protection over the tribes of Bogos.

Mr. Plowden continued, during the time that he was detained in Abyssinia, to address despatches to the Foreign Office. It is curious that King Theodore's first letter to the Queen, proposing to send Ambassadors to England, was received in April, 1858, when Lord Malmesbury was Secretary of State. It appears that no answer was ever forwarded to that letter, or that any notice was even taken of it. Mr. Plowden, and another Englishman named Bell, who had entered the King's service, were now so completely identified with all the proceedings of King Theodore, and with his cause, that in one of his despatches he makes use of these significant words, "If Theodore dies we—namely, himself and Mr. Bell—shall be looked upon by his subjects as national enemies."

Such, then, was the state of things in Abyssinia, when in the summer of 1859 Lord Russell became Secretary of State for Foreign Affairs. Now, I am particularly desirous of calling the attention of the Committee to the policy of Lord Russell throughout the whole of this important Abyssinian business. It has been most unjustly and unfairly attacked and misrepresented. I affirm, and will prove, that it was not only wise and consistent throughout, but entirely in accordance with the strong opinion which has been expressed in the House of Commons and elsewhere against interference in the affairs of Abyssinia. It was not until the winter of 1859-60, that Lord Russell's attention was called to the state of things in that country, and to the proceedings of Mr. Plowden. What step did he take? Without any delay, on the 18th January, 1860, he wrote to Consul Plowden to the effect—

> "That he had received his (Mr. Plowden's) despatch respecting the proceedings of the King against the hostile tribes, and that Her Majesty's Government did not think any special advantage would be derived from the Consul's repeated visits to the interior; that he should therefore return to Massowah, his proper place of residence, and not leave it, save under very exceptional circumstances, without orders from the Secretary of State."

Unfortunately, before this despatch could reach Abyssinia Mr. Plowden was killed, in March, by a rebel chief, and shortly afterwards Mr. Bell met the same fate in an expedition which King Theodore undertook against the tribe to revenge Mr. Plowden's death.

Lord Russell has been condemned tonight for appointing a successor to Mr. Plowden after the unfortunate end of that gentleman. I quite agree with much that has been said by my hon. Friend who has last spoken (Mr. Osborne), and by my right hon. Friend the Member for Calne (Mr. Lowe), upon the impolicy of entering into relations of any kind with such semi-barbarous Chiefs as King Theodore, and such uncivilized tribes as the Abyssinians. But it must be remembered that the Consul was named to Massowah and not to Abyssinia, and that by the letter of appointment of Lord Palmerston it was his duty to protect our trade "with Abyssinia and the adjacent countries." Moreover, at that time there were special reasons for sending a Consul to Massowah, as will be gathered from his instructions. The French Government had recently purchased a large tract of country upon the Western coast of the Red Sea near this port, with the view, it was supposed, of establishing an extensive French settlement in that part of Africa. Our interests in the Red Sea, of vast importance to India and to our colonies in the East, rendered it absolutely necessary that we should be made acquainted with the proceedings of France in that quarter. Again, at that time the slave trade, almost suppressed on the Western coast of Africa, began to develop itself to a most serious and lamentable extent upon the Eastern coast, and Massowah was one of the ports at which the traffic was principally carried on. These reasons made it desirable that we should then have a Consul at Massowah, who would at the same time, furnish us with information of what was going on in Abyssinia, of which country this port was the principal outlet on the sea-coast. The instructions to Consul Cameron are before the Committee. In them he is expressly told that he is to consider Massowah as the headquarter of the Consulate, and he is specially instructed not to make himself a partizan of either of the contending parties to the contest still going on in Abyssinia. The principles upon which he was to act were distinctly laid down. They consisted of

> "Abstinence from any course of proceeding by which a preference for either party should be imputable to him; abstinence from all intrigues to set up an exclusive British influence in Abyssinia;

and lastly, the promotion of amicable arrangements between the rival candidates for power."

It was most clearly understood that it was at Massowah he was to obtain the information which he would send to England, and to act upon the instructions with which he was furnished, and this is evident from the fact of his attention having been particularly directed "to any traffic in slaves which might be carried on within his district." This district could be no other than that of Massowah on the coast, as there was no slave trade in Abyssinia. In addition to these instructions, Consul Cameron was made acquainted before he left England with all the correspondence which had passed between the Foreign Office and Mr. Plowden, and he was consequently fully aware of the views and policy of Lord Russell with regard to Abyssinia. Moreover, the greater part of that correspondence existed in the archives of the Consulate, to which he could at all times refer. In addition to the permanent duties which he had to perform at Massowah as Consul, he had a special duty intrusted to him, which was to convey a letter and certain presents from Lord Russell to King Theodore. That letter was an answer to one which the King had written to the Queen, to announce that he had taken signal vengeance for the death of Mr. Plowden—that vengeance having consisted in the slaughter in cold blood of upwards of 1,500 persons of the tribe by whose Chief the Consul was killed. King Theodore's letter had never reached the Foreign Office. It was only known through Signor Barroni—the then British Vice Consul at Massowah—that it had been sent. It appears to have been lost by the way.

Now, let any one compare the instructions to Consul Cameron on his appointment to his Consulate, with the account which he himself gave of his proceedings on arriving in Abyssinia, in his despatch of the 31st October, 1862, which is before the Committee. It will, I venture to affirm, be found by his own statement that he disobeyed his instructions in every single particular. Instead of going up to Gondar and delivering the letter and presents to the King, abstaining from mixing himself up with the affairs of the country, and returning at once to Massowah, what were his proceedings, as he himself describes them? He says, that on the first day the King announced to him his intention of fighting with the Turks, and of sending Ambassadors to the European nations to justify his conduct. Two days after, the King directed him to put down his business on paper.

> "I wrote immediately," (he says, and I quote his own words,) "that I was deputed to present him with certain gifts, and a letter of introduction; also to discuss with him regarding the future. That when Mr. Plowden was killed there were two points under discussion — namely, 1st, a treaty; 2nd, the sending an Embassy to England. I offered to take these up where Mr. Plowden had left them."

Now, there was nothing whatever in his instructions to authorize this communication to the King; on the contrary, the evident and undoubted intention of Lord Russell was that he should not enter into any such negotiations with the King. As regards the Ambassadors, the King had been told, as it has been seen, that Her Majesty's Government would not receive them until he had given a distinct pledge that he would not make war upon the Turks; and he had as distinctly announced his intention to fight with the Turks. Next day—

> "The King renewed his invectives against the Turks, and talked of what he would do if assured of our support on the coast."

At subsequent interviews he even spoke more boldly regarding Turkey, and his intention of invading Egypt. After this, Consul Cameron waited several days in expectation of a private audience. His food, he says, became scant and bad, and he was surrounded by spies, who endeavoured so to turn matters that he should be driven to solicit the King to leave. At last, one morning he declared that he would stay six months if his business was not finished—his business having been to deliver the letter and the presents, which he had already done, and then to leave the country. An hour afterwards, the King sent him a peremptory message to leave for the sea at once. Still Consul Cameron refused, and insisted upon having a reply to the question of a treaty. After some further communications with the King, he proposed to go to Metemma, where the King had told him that the Turks had been taking tribute unjustly, and gathering together troops—offering to do what he could to keep them back. The King deprecated his going to Metemma; but the Consul still appears to have insisted. At a subsequent interview the King wrote the letter to Her Majesty, which had now become celebrated. I think that no one who reads impartially Consul Cameron's own account of that which led to this letter will be inclined to call in question the statement which I made on a previous occasion that he exacted it from the King—a conviction which is confirmed by him when he says that he sent a memorandum to the King—

> "Reminding him of a letter which he had expressed his intention of writing to Mr. Colquhoun, the British Consul General in Egypt, and stating the advantage he would derive from it."

He was again told by the King to leave for Massowah; but persisting in his determination to act in contradiction to the King's repeatedly expressed wishes and to his instructions from home, he announces, at the end of the despatch from which I have been quoting, his intention to proceed to the neighbourhood of Bogos, "whose inhabitants have been long under our special protection."

Now, what did Lord Russell do on receiving on the 12th February, 1863, Consul Cameron's despatch containing the letter from the King, and giving this account of his proceedings at Gondar? He never changed or modified the instructions which he had originally given, but pursued consistently the same course throughout. It may be said that as Consul Cameron had disregarded his instructions he ought to have been recalled at once. Perhaps it is a pity that this step was not taken, although his recall would not have reached him in time to prevent the mischief which afterwards occurred. But the difficulty of dealing with such cases, as those who have been connected with a public Department will know, is very great. Had Consul Cameron been at once dismissed he would have found many friends and Members of Parliament ready to espouse his cause, and they might with some reason have blamed the Foreign Office for dealing with him so harshly and summarily without first waiting for the explanations he might have to give. The despatch of the 31st October was speedily followed by the one dated 1st January, from Axum, in which Consul Cameron states that on his road to Bogos he had been intercepted by the sudden rising of a rebel and had taken refuge in a sanctuary. This despatch was received on the 9th March, the previous despatch having been received on the 12th February. Lord Russell, as soon as he was able to communicate with Abyssinia, wrote the despatch to Consul Cameron of the 22nd April, 1863, which is before the House, and in which he says—

> "With reference to your despatch of the 31st of October last, I have to state to you that it is not desirable for Her Majesty's agents to meddle in the affairs of Abyssinia, and you would have done better had you returned to your post at Massowah when the King told you to do so. This it will be right that you should do at once, and you will remain at Massowah until further orders."

On the 5th of July we received the despatch from Consul Cameron, dated from Bogos, 31st March, giving an account of his proceedings there, and of his interference in the affairs of the Abyssinian and Egyptian tribes. As soon as possible, Mr. Murray, the Assistant Under Secretary of State at the Foreign Office, wrote, by the direction of Lord Russell, an answer, dated August 13, in which he says, after acknowledging the receipt of Consul Cameron's letter of March 31—

> "In reply, I am to refer you to Lord Russell's despatch of the 22nd April last, and to state to you that as you have been ordered to return to and remain at Massowah, your proposal need not be considered. I am also to remind you with reference to the expressions 'Envoy' and 'Mission,' which repeatedly occur in your despatch, that, as Her Majesty's Consul at Massowah, you hold no representative character in Abyssinia."

On the 28th August further despatches were received from Consul Cameron, addressed to Her Majesty's Consul General in Egypt, Mr. Colquhoun, giving additional accounts of his proceedings in Bogos, and making various suggestions with regard to our policy and proceedings towards the tribes, which he ventured to say were under British protection, although he admits that he had no proof of it, and says that he can only suppose, not having archives to refer to, that the step which had been taken by Consul Plowden in protecting these tribes had not been disapproved by Her Majesty's Government. These despatches are published in the blue book. Again, Lord Russell, without loss of time, wrote on the 8th September in these terms to Consul Cameron—

> "I have received from Her Majesty's Agent and Consul General in Egypt your despatches of the 20th May last, and I have to state to you that Her Majesty's Government do not approve your proceedings in Abyssinia nor your suggestions founded upon them. I have only to desire that you will abstain from all interference in the internal affairs of that country, and that you will remain at your post at Massowah, whither you were ordered by my despatch of the 22nd April last to return and reside."

I think that I have thus shown that throughout these transactions, and in all his instructions to, and correspondence with, Consul Cameron, Lord Russell acted consistently and in complete accordance with the sentiments and opinions of a majority of the House of Commons and of the country with regard to interference in the affairs of Abyssinia, and that he never failed to direct Consul Cameron to abstain from all such interference, and to reside at Massowah, which was the headquarter of his Consulate.

I now come to my own share in this matter. I am not desirous of avoiding any responsibility which may legitimately fall to my lot; on the contrary, whatever part I may have taken in this business I am willing to accept any blame, if there be any, which may attach to the Foreign Office, the Department which I at that time had the honour of representing in this House. I cannot recall to my recollection that I ever saw King Theodore's letter to the Queen, which has given rise to so much discussion. Nor can Lord Russell, I believe, distinctly remember whether he saw it or not. The reason of this can be easily explained. A large packet of papers concerning Abyssinia was received at the Foreign Office. They were, as a matter of course, submitted to Lord Russell, probably with a suggestion that they should be forwarded to the India Office, because the question of Massowah and Abyssinia was really an Indian and not an English question. Were it not for our interests and possessions in the East we should have nothing to do with that country, and the regular course was to refer despatches relating to it to the Secretary of State for India, for any observations and suggestions that he might think fit to make upon them. He did not deem it necessary to make any, and the papers remained for some time in the India Office. As regards the King's letter it did not require an answer, and ought never to have been sent home by Consul Cameron to the Foreign Office. The King had been distinctly and repeatedly told by Mr. Plowden, who had communicated to him Lord Clarendon's instructions on the subject, and by Consul Cameron, that the English Government would not receive Ambassadors from him unless he renounced his intentions of attacking the Turkish and Egyptian territories. In his letter he declared that he was actually going to war with the Turks. "I am now going to wrestle with them," he writes. Consequently, I contend that, after the warnings given to the King and the distinct refusal to receive his Ambassadors, his letter did not require an answer. Moreover, had we sent an answer it would have been necessary for Consul Cameron to return to Abyssinia, and he would probably have renewed those communications with the King and that interference with the affairs of the country which Lord Russell was so desirous of avoiding. Indeed, had Consul Cameron obeyed his instructions, and the orders over and over again given to him by the King to return to Massowah, we should probably never have heard anything more about the letter. But even had an answer been sent to it, would the difficulties into which Consul Cameron has involved himself been avoided? We know that King Theodore wrote letters, precisely similar to that which he addressed to the Queen, to the Emperor of Russia, to the Emperor of the French, and to other Sovereigns. The Emperor of Russia appears to have taken no notice of the communication. The Foreign Minister of the Emperor of the French, M. Drouyn de Lhuys, did send an answer. But how did the King receive it? He imprisoned, chained, and illtreated M. Lejean, the French Consul, and then expelled him from the country. We could have sent no other answer than that given in previous communications to the Emperor—namely, that we would not receive his Embassy unless he gave up his intention of invading and conquering Turkish territory, in which he looked for our assistance. But for various reasons we had no desire to receive an Embassy from him—we should probably, under any circumstances, have declined to do so—and as the King had refused to ratify the treaty entered into by Mr. Plowden with Ras Ali, he had no right to insist upon sending one to England. It is more than probable, therefore, that on receiving any answer we could have sent him he would have illtreated and imprisoned Consul Cameron. As the Foreign Office had no wish to answer the letter, or to have anything further to do with Abyssinian affairs, neither had the Secretary of State for India. No further notice was therefore taken of it, and it appears to have remained at the India Office. The first time that, in my recollection, I became aware of Consul Cameron's proceedings in Abyssinia, was when the despatch dated from Axum, informing the Foreign Office that on his way to Bogos he had taken refuge in a sanctuary from a rebel Chief, was brought to my notice. At once, on the 11th of March, I wrote a Minute, as indeed did my Colleagues, Lord Russell and the permanent and Assistant Under Secretaries pointing out that we were involving ourselves far too much in the affairs of Abyssinia, and that we should probably get into serious trouble on account of Consul Cameron's proceedings. The despatch of the 22nd April, which I have already quoted, ordering him to return at once to Massowah, was accordingly sent out to him.

All that I had to do up to that time with the affairs of Abyssinia was this—I was in the habit of receiving very long letters about them dated from the classic region of Bekesbourne, and written by a gentleman of the name of Beke. They evidently came from a fussy, busy, mischievous, intriguing, meddling, troublesome person. They were full of schemes for extending British influence and trade; they gave minute and particular accounts of different Chiefs, pointing out with which we ought and with which we ought not to form alliances; they contained violent and exaggerated tirades against the influence and proceedings of French political agents and Roman Catholic missionaries, and described and mourned the fall of British influence; in fact, all that kind of thing which the Foreign Office is in the habit of receiving from that kind of person. Those who have had experience of that Department—and I appeal with confidence to the noble Lord opposite (Lord Stanley) to confirm what I say—know that much of a Secretary of State and Under Secretary's time is taken up with such correspondence. Unfortunately, the writers of these letters generally succeed in securing the support and aid of one or two respectable merchants, who are induced by their specious and highly-coloured statements to believe that their projects and schemes, if carried out, would lead to some great advantages to British commerce and British influence. The next step is to get some influential Members of Parliament to take the matter up and bring it before the House of Commons. If the Government or the Foreign Office do not listen to their representations and take up their schemes at once they are accused of indifference, or even of actual hostility to British interests and to British trade. Knowing, as I unhappily do, the vast amount of mischief which is done by such persons as these when they succeed in involving the Foreign Office in their schemes, I confess that I have a kind of horror of them. Consequently, whilst civilly acknowledging Dr. Beke's letters, I did not, I admit, pay much attention to their contents, but was rather inclined to consign them to the waste-paper basket.

As I have observed, my own conviction, as soon as I had seen Consul Cameron's despatches, was that his conduct in Abyssinia and in the adjacent territories were likely to get us into the most serious trouble. For not only were we in danger of involving ourselves in difficulties with King Theodore, but the Turkish Government also now began to make the most urgent remonstrances, through Sir Henry Bulwer, then our Ambassador at the Porte, against Consul Cameron's proceedings in the Egyptian and Turkish provinces, where, they declared, he was exciting the people to rebel against their authority. Consul Cameron himself, indeed, anticipated that mischief of a grave character might result from his journey to Bogos, as in one of his despatches he actually stated that so irritated were the Mussulmans and the Egyptian authorities against him, that "a second massacre of Jeddah might ensue." It will be remembered that a short time before the massacre of the Christians of that place had occurred.

The first information we received at the Foreign Office of the critical position of Consul Cameron in Abyssinia was through a despatch from Her Majesty's Consul General in Egypt. A certain M. Labarre, who had accompanied M. Lejean, the French Consul to Gondar, and had been expelled the country with him, called upon Mr. Colquhoun, and informed him that King Theodore had recently become most suspicious of all the Europeans about him, and urged that it was desirable, in order to avoid future mischief, that Consul Cameron should be recalled at once from Abyssinia by the English Government. The Foreign Office had already ordered him back to his post at Massowah, and consequently no further step was necessary. The first intimation we received of his actual detention and imprisonment in Abyssinia was through a Mr. Haussman, a German missionary, who had been arrested with the other missionaries by the King, but had fortunately managed to leave the country, and to make his way to Kartoom. He there informed Mr. Petherick, our Consul, that Consul Cameron and the missionaries had been imprisoned. That information was at once forwarded to the Foreign Office through Egypt, and was received on the 8th March, 1864. On the very next day—that is to say, on the 9th—Lord Russell telegraphed to the Consul

General in Egypt to communicate at once with Colonel Merewether, the Governor of Aden, the nearest spot from which Abyssinia was accessible, and to direct him—

> "To apply to the King for the immediate release of Cameron, and of any other British subjects detained by him, and for permission for their immediate departure for Massowah. Colonel Merewether was at the same time to tell the King that if he refused, he would incur the very serious displeasure of Her Majesty's Government."

Colonel Merewether was further told that there appeared to be other persons detained by the King who were not British subjects, and whose release consequently we could not demand of right, but that the best ought to be done in their behalf. I think that what I have now stated is a full and complete answer to a certain portion of the Press which has persistently maintained that Lord Russell was indifferent to the fate of the captives, and that he only took measures to effect their release after he had been driven to do so by articles and attacks in the newspapers. It was still a matter of doubt whether Consul Cameron was then actually in confinement, as we had received despatches from him in April, dated from the King's Camp on the 2nd October of the previous year, in which he described the King's violent conduct towards the French Consul and Mr. Stern, but did not give us any reason to think that he was likely to incur the same fate.

I may now remind the Committee that the case of Mr. Stern, and the other missionaries, which has been so perseveringly mixed up with that of Consul Cameron, Lord Russell being also held responsible for their imprisonment, because he had not answered the King's letter, had nothing whatever to do with Theodore's complaints against our Consul. There was no connection whatever between the imprisonment of the missionaries and that of Consul Cameron, except in so far as the King may have been angered by any remonstrances or intercession on the part of Consul Cameron in their behalf. Mr. Stern had been maltreated and imprisoned about two months before Consul Cameron, because he had published, during a visit to England, an account of his labours in Abyssinia, in which he had used expressions which were brought to the notice of the King, and were considered injurious and insulting to his dignity. Mr. Stern, by the King's orders, was tried by a tribunal composed of Europeans, chiefly missionaries like himself, at that time in Abyssinia. He was condemned by them to death, but recommended to mercy, as the best means of appeasing the King's anger. The King did remit the sentence of death, but sentenced Mr. Stern to perpetual imprisonment. In the course of Mr. Stern's trial documents which compromised some of his companions came to light, and they also were thrown into chains. It is then evident that the imprisonment of the missionaries had nothing whatever to do with any neglect that may have taken place in not sending an answer to the King's letter to the Queen. Besides, it must be remembered that they were not even British subjects.

Colonel Merewether, on the receipt of Lord Russell's instructions, replied that he had no means of acting upon them at once, as he was without a ship of war with which he could communicate with Massowah. At the same time he forwarded a pencil note from Consul Cameron, which gave the first authentic notice of his imprisonment and that of the missionaries. The terms of it, however, were such that Colonel Merewether expressed his conviction that—

> "The prisoners were in no danger of personal injury, beyond the inconvenience of confinement."

He further assured the Government that—

> "As soon as he was furnished with requisite means, no endeavour should be wanting on his part to effect the release of the captives."

This reply was sent from Aden on the 21st of April, and reached the Foreign Office on the 7th of May. As soon as it was received, it was determined to send a special envoy to King Theodore to be the bearer of a letter from the Queen requesting the release of the captives, and Mr. Rassam was selected for this mission. The Queen was at that time at Balmoral, and a few days elapsed before her pleasure could be taken as to the terms of the letter, and upon some other matters. It was consequently the 26th of May before the letter was ready. A copy of that letter has now been asked for. I cannot understand why it was not laid before upon the table of the House. I imagine that it must have been in consequence of an oversight, and that it will be at once produced. I can assure hon. Members that it contains nothing compromising to the Foreign Office, no offer of a treaty or anything else, to justify what has since occurred, as some persons have assumed. I have a perfect recollection of its contents. It was chiefly a complimentary letter. It passed over as lightly as possible the illtreatment of Consul Cameron and the missionaries in order to avoid giving further offence to the King, and requested that His Majesty would allow Her Majesty's Consul and others to depart from Abyssinia. The letter as delivered—for some alteration was subsequently made in its terms—further informed the King that Her Majesty would be happy to receive an Embassy from him. Such were the only contents of the letter. There was no proposal for a treaty in it, nor any expression which could possibly have led the King to expect assistance from us in his quarrels with the Turks or Egyptians.

Now, as regards the choice of the person to be the bearer of the letter. Much has been said here and elsewhere against the selection of Mr. Rassam; but I will venture to affirm that, under the circumstances, no better person could have been chosen. What were the facts of the case? The persons from whom we had to select were very limited in number—in fact, they were only three — General Sir William Coghlan, the Rev. Mr. Badger, and Mr. Rassam. There were, no doubt, one or two gentlemen in this country who had visited Abyssinia; but we considered that as they did not hold any rank in Her Majesty's Service, the King might not have been inclined to treat them with proper consideration and respect. The person whom it would have been perhaps most desirable to send was Sir William Coghlan. He was a distinguished officer of great experience in Indian and Eastern affairs, and having long been Governor of Aden, was well known in the countries adjacent to the Red Sea. But he would not have undertaken this mission—as he has himself pointed out in his Memorandum presented to the House —without a considerable staff, including a military secretary and many English officers. It was considered that there would be very considerable risk in sending out such a mission. Indeed, Consul Cameron himself subsequently advised us very earnestly not to send out a great mission, as it would offer a further temptation to the King to endeavour to coerce the British Government by detaining or imprisoning the Envoy and his suite. There is no doubt that if an officer so well known and of so high a rank as Sir William Coghlan — one who had held the distinguished post of Governor of Aden—had been ill-treated and held captive by the King, the effect upon our relations and position in the East would have been very serious. It was believed that a small mission consisting of a gentleman of inferior rank would offer less temptation to the King, and would afford a better chance for the release of the prisoners. Mr. Badger was next suggested; he was a gentleman of considerable ability, and of much experience in Eastern affairs. He had been more than once employed in important diplomatic missions; he had accompanied Sir James Outram in the Persian expedition, during which his services were of great public usefulness; and he had been for some years chaplain at Aden, and was consequently not unknown on the shores of the Red Sea. But there was this objection to his employment: he was a clergyman, and as we knew that many of the difficulties in Abyssinia have arisen out of the quarrels and rivalries of Christian sects, it was considered better that no risk should be run by sending there a minister of the Church of England, to whose mission a religious character might possibly have been attached. There consequently only remained Mr. Rassam, and I will reassert that he was—everything taken into consideration—really the most competent person to undertake the mission, and that no better selection could have been made. I have been accused of sending Mr. Rassam because he was my personal friend; but this is only one of the many malicious inventions of Dr. Beke. Mr. Rassam was solely selected by Lord Russell because he was considered the best person for the service, and was moreover at Aden, and consequently already near Abyssinia. Sir William Coghlan was consulted by the Foreign Office the very moment that we heard of Consul Cameron's detention, and every step that was taken was decided upon after communicating with him. Mr. Rassam's position, character, and history have been strangely misunderstood and misrepresented. Although born at Mossul, where his brother for many years has held the post of Her Majesty's Vice Consul, he came, when young, to England, and was for some time at Oxford, under the kind care of a gentleman distinguished for his learning —the brother of an eminent Member of this House, the late Attorney General (Sir Roundell Palmer). After I had returned to England from my second expedition to Assyria the Trustees of the British Museum selected Mr. Rassam to carry on the excavations at Nineveh, and we owe to his skill and energy the discovery of many very important monuments which are now in the British Museum. On his return to England he was—partly, I believe, on the recommendation of the Trustees—taken into the service of the East India Company, and was sent to Aden, at first in a subordinate position; but by his zeal, his industry, his honesty, and his high character, he rose—a circumstance very extraordinary for one of Eastern origin—to be a magistrate, and ultimately to be Assistant Resident—an office equivalent to that of Lieutenant Governor—of Aden. In that capacity he was more than once left in charge of the affairs of the settlement, and employed on important diplomatic missions, in which he was entirely successful, and received the amplest acknowledgments and approval of the Indian Government. I will venture to quote the following testimony from Sir William Coghlan, which I have already read to the House on a former occasion, as to the position and character of Mr. Rassam. This statement was written by Sir William Coghlan, after the Memorandum in which he proposed that a mission upon a large scale should be sent to Abyssinia, and in consequence of a request from me that he would inform me whether the attacks made upon Mr. Rassam on the ground that he (Sir William Coghlan) disapproved of his appointment were justified by any opinions that he had expressed:—

> "Mr. Rassam's antecedents, his status, and his qualifications are greatly misunderstood and misrepresented by a portion of the Press of this country. He has been variously styled Levantine, Greek, obscure Armenian, Turkish subject, &c. In answer to these assertions, it is but just to a very deserving public servant to say what Mr. Rassam really is. He was born at Mossul, of Christian parents (his brother is British Vice Consul there); he received his education in England; he is a gentleman in manners and conduct; and his qualifications for the peculiar line in which he has been employed during the last ten years cannot be surpassed. I speak with confidence on this point, for Mr. Rassam was my Assistant at Aden during many years of trouble, a part of which time he held charge of our political relations at Muscat, and acquitted himself to the entire approval of the Government which placed him there. In short, Mr. Rassam's whole previous career well justified the expectation which Her Majesty's Government entertained in appointing him to the delicate and difficult mission on which he is now employed. The disappointment of that expectation is not attributable to any fault of his."

I may here remark that before Mr. Rassam's employment, such were the relations between the English and the Arabs occupying the country round Aden, that no one could go a mile or two beyond the fortifications, and that we were in constant hostilities with the surrounding tribes. Through his admirable tact, temper, and management, the Arabs were reconciled to us, and Mr. Rassam was actually able to take Sir William Coghlan a journey through the interior, which had before been altogether inaccessible to Europeans. Moreover, as Mr. Rassam's duties were specially connected with the settlement of questions arising out of the relations between the English and the Native Chiefs and inhabitants of the various countries on both sides of the Red Sea, in the vicinity of Aden, he was everywhere well known, and had been able to extend his influence far beyond our colony. But in addition to the testimony of Sir William Coghlan, let me read to the Committee that of Mr. Flad, who had an opportunity of closely watching Mr. Rassam's conduct in Abyssinia, and who, as any one may judge by his letters published in the blue book, was not disposed to conceal his opinions upon any matter connected with the mission. He writes to Lord Clarendon on July 10, 1865, in his letter published in the blue book—

> "I must make here the remark that the Government could not have intrusted a man better fit for the mission of Mr. Rassam than himself. In all his business with the King he was calm, prudent, cautious, and sincere. Not only the Abyssinians, but even the Europeans, did wonder at him."

I may further remind the Committee that throughout this unhappy business Mr. Rassam appears to have preserved the personal friendship of the King, who, although he has confined and chained him as a hostage—as he says—for the British Government, has always treated him with kindness and distinction.

Such, then, are the high opinions entertained of Mr. Rassam by persons most competent to form an opinion upon the subject, and I feel it to be my bounden duty to defend him against the very unjust, cruel, and unwarrantable attacks that have been made upon him—now that he is absent on the service of his adopted country and unable to defend himself.

An hon. Member asks me why the Government did not send Dr. Beke to Abyssinia? After what I have said of that gentleman, I need scarcely observe that if we had sent him I should have considered that we had been guilty of a dereliction of public duty. I rejoice to find that the present Government have likewise declined to avail themselves of the services of that most mischievous individual. It is with much regret that I feel myself compelled to speak of Dr. Beke in very severe terms. If he had confined himself to calumniating Lord Russell and myself, I should not have considered it even necessary to notice him; but when he has published letters and a book, which have been quoted by hon. Members in the Committee, and which contained the most slanderous accusations against a public servant employed by the Foreign Office, and when some of those letters have actually been officially communicated to the House of Commons in a blue book, I feel it my duty to take public notice of them. I must say, and I say it with regret, that a more mendacious book than Dr. Beke's *History of the Abyssinian Captives,* I never read. It is, from the beginning to the end, a tissue of falsehoods and misstatements. To prove what I assert, I will call the attention of the Committee to two accusations against Mr. Rassam. In one passage Dr. Beke insinuates—if he does not distinctly state—that that gentleman had misapplied or misappropriated public money which had been given to him by the King, and that he had spent it "in a manner displeasing to God." He further states that Mr. Rassam had very improperly received presents in money from the King, which Mr. Plowden and others had always refused to do, thereby placing himself in a position of dependence upon the King and compromising his position and dignity. That this statement is in direct contradiction to facts, the Committee may satisfy themselves by referring to Consul Cameron's despatch of the 31st October, 1862, page 52 of the blue book of August, 1866. He says—

> "There seems to be no necessity for irritating the King further at this moment about the 1,000 dollars. . . . But I must here state that Mr. Plowden was more than once placed in the same difficulty as myself by the King's presenting him with money; which he generally accepted to avoid explanations, making a present of larger value in return."

He had previously said—

> "It was with great difficulty that I could get my interpreters to translate this (refusal to accept money), as in Abyssinia a refusal of such a nature, especially to a King, has in it something in the ature of an insult."

Consequently Mr. Rassam was perfectly justified in accepting money from the King, and it was his duty to do so if by refusing he would unnecessarily irritate the King and endanger the success of his mission. I only hope that Dr. Beke has been able to give as satisfactory an account of the money subscribed for his mission to Abyssinia by the friends of the unfortunate captives, as I feel convinced that Mr. Rassam, if he ever returns to this country, will be able to afford of every farthing of public money intrusted to him. Dr. Beke's second charge against Mr. Rassam is one of cowardice—on the grounds, first, that he refused to remain in Abyssinia as a hostage when the King made this a condition for the release and departure of the captives, although Dr. Beke offered to remain with him, a statement which I believe to be utterly untrue; and second, that he remained at Massowah with the Queen's letter until he was invited up to Gondar, instead of proceeding at once to the King. As regards this second charge, I will only say that Mr. Rassam was not only acting in accordance with his instructions, but upon the urgent advice and entreaty of Consul Cameron himself, with whom he was in constant communication, who represented to him that if he attempted to enter Abyssinia without having first obtained the permission and received the invitation of the King, he would not only endanger the lives of the captives, but his own.

I now come to the mission of Mr. Palgrave, upon which various comments have been made, and the nature and object of which has been altogether misunderstood. In the summer of 1865 the friends of the captives and a part of the public press became very impatient at the long suspense in which they were kept, and at Mr. Rassam's detention at Massowah, and Lord Russell was strongly urged to send Mr. Palgrave to King Theodore to endeavour to effect the release of the prisoners. I confess that I was much opposed to the choice of Mr. Palgrave for this mission, and upon these grounds. He was a very distinguished and enterprizing traveller, and had accomplished with great success a most perilous journey through Arabia, which he had described with an ability and felicity of diction rarely equalled. But his antecedents, in my opinion, disqualified him for a mission to Abyssinia. I do not wish to say anything which may be disagreeable to him—I merely repeat that which he has himself stated in his well-known work. He had at one time belonged to the order of the Jesuits, and had been engaged for some years in their proceedings in Syria. He was well known in Jerusalem, to which city a large number of Abyssinians constantly resort. He had, by his own account, undertaken his journey into Arabia in connection with some secret mission which was supposed to be connected with his duties as a Jesuit priest. Now, as we know, King Theodore has the greatest distrust and fear of the Jesuits. He had been taught that owing to their interference in the 17th century in the affairs of Abyssinia they had brought great disasters upon the country. He had expelled the Roman Catholic mission from his territories. If he had learnt—as he no doubt would have learnt immediately, for there were plenty of people to tell him the fact—that Mr. Palgrave had formerly been a Jesuit priest, would not his suspicions have been immediately aroused? He would have been convinced that we had some design against him in selecting Mr. Palgrave, and no explanation would have persuaded him to the contrary. However, such was the pressure upon the Foreign Office, that Lord Russell thought it right at last to send Mr. Palgrave; but his mission in no way superseded, as it has been asserted, that of Mr. Rassam, nor did it clash with it. It was, on the contrary, only auxiliary to it. Mr. Palgrave was not intrusted with a letter from the Queen, he was only furnished by Lord Russell with a memorandum of the language he was to hold to the King, and he was divested as much as possible of the official character of an Envoy. He was directed to proceed to Egypt, and thence to make his way to King Theodore, whilst Mr. Rassam awaited the issue of his mission at Aden with the Queen's letter. If, however, Mr. Palgrave heard on his arrival at Alexandria that Mr. Rassam had received an invitation from King Theodore, and was about to go to him, he was to remain at Alexandria and not to proceed on his journey. It happened that precisely at the time when Mr. Rassam heard of Mr. Palgrave's departure from England, he received the letter from the King inviting him to his camp. Mr. Rassam feared that if both himself and Mr. Palgrave were on their way at the same time much mischief would ensue; and he very properly came at once to Alexandria, in order to communicate with the Government, and to ascertain whether it was considered desirable that he should go to the King, or whether Mr. Palgrave should proceed with his mission. As Mr. Rassam's name was mentioned in the Queen's letter as Her Envoy, as he had been in communication with the King, and had been invited to Gondar by him, there cannot be a doubt that he was the proper person to proceed to Abyssinia. He was directed to do so, and Mr. Palgrave was instructed to remain in Egypt. I need not describe the manner in which Mr. Rassam was at first received by the King, as his despatches on the subject have so recently been placed upon the table of the House. It is sufficient to say that his reception was a most kind one. The King treated him as his personal friend, showed him every attention, and released the captives from their chains—writing, at the same time, a letter of explanation, indeed of apology, to the Queen. Suddenly his conduct towards Mr. Rassam was entirely changed, and instead of treating him with distinction, he placed him in confinement and in chains. What led to this sudden change? I stated last year, on the authority of Mr. Rassam himself, that it was owing to Dr. Beke's mission. Mr. Rassam has repeated this statement more than once in his private letters, and in his public despatches, as will be seen by reference to the blue books. Moreover, his statement is confirmed by Mrs. Flad, in a letter also published in the blue book, and by the missionaries themselves. And it appears to me that whilst it may not have been the only cause, it was certainly one of the principal causes, if not the principal, of the King's suspicion of Mr. Rassam, and of his conduct towards that gentleman. I must ask the Committee to go back with me for a little. Dr. Beke, about the time that Mr. Palgrave was sent to Egypt, had prevailed upon the friends and relations of some of the captives to send him out to Abyssinia, to endeavour to effect their release. A sum of nearly £2,000 was subscribed for this purpose, and confided to Dr. Beke. Foreseeing the mischievous effects of a second mission, when Mr. Rassam was already in communication with the King, I earnestly remonstrated against it, and the Foreign Office placed the responsibility of the result upon Dr. Beke and those who sent him out. Her Majesty's agents in the Red Sea were equally alarmed at the probable consequences of this most ill-advised and unnecessary mission. When Dr. Beke, in spite of all the remonstrances he had received, arrived at Massowah, Mr. Rassam was already on his way to the King. The Doctor from thence addressed a letter to the King, announcing his mission. Would it be believed that in that letter he did not even allude to Mr. Rassam's mission, nor to the letter which the Queen had addressed to King Theodore on behalf of the prisoners? Is it surprising that, under such circumstances, the King should have viewed Mr. Rassam with suspicion, especially when he received the most exaggerated reports of Dr. Beke's mission, his innumerable mule-loads of costly presents, his gold and silver shields, and heaven knows what? Dr. Beke has thought fit not only to deny Mr. Rassam's statement, but to write letters very abusive of myself and other people on the subject. I should not have complained of this, or considered such attacks worthy of the slightest notice, had not these letters been re-published in the blue book. I must confess that it appears to me a most unusual proceeding—I would almost say an uncourteous proceeding—on the part of the noble Lord (Lord Stanley) in consenting, at Dr. Beke's request, to include in a blue book letters culminating his predecessors in the Foreign Office, which had already appeared in the columns of the daily press, in *The Times* and *Morning Herald.* Dr. Beke denies that his mission had anything to do with the change in the King's treatment of Mr. Rassam, and gives quotations from the King's letter to him, which he says was most kind and cordial. With his usual want of candour, however, he omits to state that the King expressed anger at his having gone to Halai, which was in rebellion against him, and asked him, "Why he went there, when he knew that there were disturbances in the country, without first asking his permission," and directed him to return at once to Massowah, there to wait until he was sent for. In fact, Dr. Beke's proceedings at Massowah caused so much alarm to Colonel Merewether that he did his utmost to get him away, and at last succeeded in doing so. Dr. Beke alleges that the publication of Lord Russell's despatch of the 5th October, 1865, to Colonel Stanton, was the reason for the King's ill-treatment of Mr. Rassam; but this is evidently an afterthought, as at p. 239 of his book, entitled *British Captives in Abyssinia,* he distinctly says that that was not the reason. He moreover insinuates that Mr. Rassam had made promises to, and entered into engagements with, the King—and indeed into a treaty with him—which Her Majesty's Government refused to recognise, and thus irritated the King. But all these statements are mere surmises and inventions to exculpate himself.

Some persons are still inclined to justify the King's conduct even up to the present time—it seems indeed extraordinary that any one should venture to justify the conduct of a mad and cruel savage—upon the grounds that no answer was returned to his letter to the Queen. And this accusation is still persisted in, notwithstanding the King's own declaration of the cause of his anger with Consul Cameron to the contrary. The cause of that anger was stated by Consul Cameron in a letter published in the blue book, dated 16th March of last year, by the King himself, in the written charges against the prisoners enclosed in Mr. Rassam's despatch of the 10th of January of this year, and again in the interview with Mr. Rassam and the captives, as related by Mr. Flad in his letter to Lord Clarendon of the 10th of July, 1860—and it is this:—that instead of going to Massowah, as he (the King) had directed him to do, and there wait until he received an answer to the letter to the Queen, Consul Cameron had been amongst the King's enemies—the Turks—where he spoke ill of and insulted the King, and that he returned to Gondar without having waited for the answer to the King's letter to the Queen, of which he could give no account. The cause, therefore, assigned by the King himself is, not that the Queen did not answer his letter, but that Consul Cameron did not remain at Massowah until that answer was received there. And the distinction is very important, because the King did not know—indeed, he could not know—whether or not an answer had been sent to his letter. But even supposing, for one moment, that the King was angry because he had not received an answer at once, did he not condone, on the arrival of Mr. Rassam, the supposed offence; did he not pardon Consul Cameron, release him from his chains, and write a letter of regret and explanation to the Queen? I cannot conceive how anyone can venture, under these circumstances, to seek to justify the conduct of the King to Mr. Rassam. Mr. Rassam having been placed in confinement, Mr. Flad was sent to this country with a letter from the King requesting that some skilled mechanics and machinery should be sent to him, evidently as a condition for the release of the captives. The noble Lord (Lord Stanley) has been condemned for sending out these mechanics; but I shall certainly not join in this condemnation, knowing, as

I do, how extremely difficult it has been to deal with this most perplexing Abyssinian business. I think the noble Lord was right in exhausting every means of conciliation in his endeavours to obtain the release of the prisoners. Moreover, it must be remembered that these mechanics were not sent by the Foreign Office, they volunteered, on the representations of Mr. Flad and Colonel Merewether, to proceed to Abyssinia, the nature of their engagements having been fully explained to them. The noble Lord has been also condemned for not treating the King with confidence, and sending up the mechanics and presents at once to Abyssinia, without exacting first as a condition the release and delivery of the prisoners. But I am of opinion that he acted with proper caution and discretion. After all that has occurred, I think there can be little doubt that the King would not have released the captives had the artizans fallen into his hands, as his object is evidently to get as many British subjects as possible into his power, in order to endeavour to exact terms from the British Government. Had the noble Lord allowed Colonel Merewether to send up the artizans without first securing the departure of the prisoners from Abyssinia, and they had been added to the number of the captives, he would have incurred a very heavy responsibility.

Every measure of conciliation having thus been exhausted, every means having been taken that could be suggested to induce the King, upon fair and honourable conditions, to release his prisoners, what remains to be done? It appears to me that only two courses are open to us—either to leave the captives to their fate, or to attempt their release by force. A third course has, no doubt, been suggested—namely, to offer a large sum of money to the King by way of ransom. But I entirely agree with the noble Lord in thinking that such a course, had it even been likely to effect our object, would not only have been most derogatory to the dignity and honour of the country, but most dangerous to our interests and relations in the East. It would have been a premium upon the seizure and maltreatment of our Envoys and subjects by every petty potentate and chief. It would have exposed us to insults and injuries which no long-suffering could tolerate, and which would have led in all probability to wars far more serious and extensive than that in which we are about to engage. Could we, then, leave the captives in the hands of the King of Abyssinia? It is all very well for my hon. Friend the Member for Nottingham (Mr. Osborne) to make jokes upon "Indian prestige." It is no question of "Indian prestige;" but it is a question of the prestige of England—that is to say, of her reputation, honour, power, as a great nation both in the East and in the West, of her ability to avenge and punish insult, and to protect her representatives and her subjects. I entirely agree with my hon. and gallant Friend the Member for Frome (Sir Henry Rawlinson) in the definition of prestige which he gave in his speech on the subject of Abyssinia last Session—that it was to a nation like credit to the merchant or the banker—it enables it to do great and useful things with little risk and with small means. This is an Imperial question and one not limited to India alone, although it no doubt arises from the fact of our being an Eastern as well as a European Power. Whilst we hold our Indian Empire we must be prepared to maintain our influence, our interests, and our position in the East. If we were not in India we should not have relations with Abyssinia or Massowah, and the difficulties in which we now found ourselves would not have arisen. My hon. Friend (Mr. Osborne) asks what can India know of our prestige? He must know but little of India and of the East when he asks such a question. The very maintenance of our Indian Empire depends upon the conviction that its populations entertain of our greatness and strength, of our power to punish insults and to enforce our rule. What I said last Session about the Mecca pilgrims has, as usual, been misrepresented. It has been stated that I urged England to go to war with Abyssinia for the sake of Mohammedan pilgrims to Mecca. What I did say was this—and every one acquainted with the state of the Mohammedan population in India will, I believe, agree with me—that the thousands of Indian Mussulman pilgrims who yearly flock to Mecca would inevitably hear that a petty sovereign, whose dominions were not far off, had imprisoned and maltreated an Envoy of the Queen of England and had defied her power, and that we had accepted the insult and taken no step to release her messenger. They would return to India and spread these tidings through the length and breadth of the land—as they come from all parts of the peninsula—and the result would be a contempt for the power of England, which would inevitably lead to the most serious results. The noble Lord has referred to the case of Stoddart and Conolly as one which has been mentioned as justifying the abandonment of the Queen's Envoy, and leaving him and his fellow captives to their fate. But the two cases are not parallel. In the first place, Bokhara is a country which a British force could not reach except under circumstances which would have rendered a military expedition one of the greatest danger and risk; in fact, I doubt whether at that time we could have succeeded at all in sending an army through the centre of Asia. On the other hand, whatever may be the difficulties in the way of a march into Abyssinia, there can be no doubt that it can be accomplished at no very great risk. Secondly, Stoddart and Conolly were not the bearers of letters from the Queen; they were no doubt, to a certain extent, Envoys, but they were secret Envoys sent by the Indian Government, and little was publicly known of their official character. It is most probable that the circumstances of their death never reached the populations of India. But it is by no means certain that their imprisonment and cruel and unavenged death has not led indirectly to serious results to our dominion in India. The impunity with which the King of Bokhara committed this outrage upon the agents of the Indian Government encouraged him to perpetrate crimes of the same nature upon other Europeans, amongst others upon Russian subjects. This led to war with Russia, and to the conquest of Bokharian territory, and the advancement of the Asiatic frontiers of Russia several hundred miles nearer to our Indian possessions. This may, one day, prove the cause of much danger to our power in India, and may lead to great wars. The noble Lord (Lord Stanley) has also justly mentioned the Indian Mutiny as partly occasioned by the loss of our prestige in India on account of the exaggerated reports of the breakdown of our military system in the Crimean war which had reached that country. It is not unknown that I went to India during the Mutiny, in order to ascerain for myself, if possible, what the causes were which had led to it, and if there was one cause more than another which was assigned by nearly all the authorities upon the subject whom I consulted, it was the "loss of our prestige," arising from the mutiny of two Indian regiments—one at Hyderabad in the Deccan, the other at Berhampore—which Lord Dalhousie had passed over and condoned. The impression derived from this fact by the Natives was that the Government was not powerful enough to punish the offenders. If what I heard be true, it will prove the incalculable disasters which may arise from what is termed, for want of a better word, "loss of prestige." War, then, only remains. I stated solemnly in the House of Commons last year that no one could have been more opposed to the use of force against the King of Abyssinia than myself in all the earlier stages of this lamentable business. I repeat that statement. I may add that my Colleagues in the Foreign Office were equally opposed to it—Lord Russell, and that eminent public servant, Mr. Hammond, who has probably greater experience of our foreign relations all over the world than any man in England. I know, from conversation which I have had on various occasions with the noble Lord opposite (Lord Stanley), that he was no less opposed to an appeal to arms. But now every man who has calmly and impartially examined this question, and has the materials for forming a just opinion upon it, is convinced that no other resource is left to us. Yet all admit that it is a most unfortunate necessity—that we are about to enter into a war from which no profit, nor glory, nor credit can be derived, and which is only undertaken to effect the release of the representatives of this country, to vindicate our honour and our national character, and to punish the Sovereign who has wantonly outraged them. I assert, without fear of contradiction, that never was a war undertaken under so strong a sense of duty, and of the absolute necessity of it, and, at the same time, with so much regret and repugnance. Such being my convictions, I should be the last person to throw any difficulties in the way of Her Majesty's Government. On the contrary, I consider it my imperative duty to give them the utmost support in my power in carrying it to a satisfactory conclusion. I rejoice to find that the Government have solemnly and distinctly defined the objects of the expedition — that it is undertaken solely for the release of the captives and the punishment of King Theodore, who has ill-treated and imprisoned Her Majesty's Envoy. I was glad to see in the Queen's Gracious Speech a distinct assurance that as soon as these objects are obtained our forces will be withdrawn from Abyssinia. I know that there are some persons, especially in India, who are prepared to urge upon the Government to retain permanent possession of a part of the Abyssinian Highlands, and to establish there what is called a "sanatorium" for our Indian troops. But I am convinced that the Government will not listen to any such wild suggestions. No doubt the enemies of England, and those whose business it is to misrepresent her motives and her policy, will declare that she has ulterior views and designs in making war against Abyssinia — that she has undertaken this expedition not for the release of her subjects, but for the extension of her territory and to gratify her ambition. We can afford to treat with indifference these accusations coming from such sources. But I deeply regret to find some countenance given to them by Englishmen in authority, and it was with real pain that I read the speech of an hon. and eloquent Friend of mine, the Member for Guilford (Mr. Onslow), to his constituents, in which he stated his belief that the Government were only entering upon this expedition in order to prevent the French from carrying out their great scheme of cutting a canal through the Isthmus of Suez. We may, in England, be convinced that these statements are unfounded; but the mischief which they do abroad, coming from such a quarter, is incalculable. They arouse against us the suspicion and jealousy of our neighbours, and are calculated even to embitter and endanger our international relations. It is, I think, therefore, of the utmost importance that the Government should publicly and solemnly make the declaration that in sending this expedition to Abyssinia their only objects are to obtain the release of the prisoners and to vindicate the honour of the country. And I may here observe, that even should the King—as it has been suggested that he may do—put his captives to death, even then we shall be bound to persevere in this war in order to punish him for the outrage he has committed. My right hon. Friend the Member for South Lancashire (Mr. Gladstone) said, on the first night of the Session, with his usual eloquence and felicity of language, that the burden and responsibilities of Empire weighed already too heavily upon our shoulders to lead this country to desire the acquisition of fresh territories. I entirely agree with him. I earnestly hope that as soon as the objects of this expedition are accomplished we shall retire for ever from Abyssinia, and that we shall never again mix ourselves up with the affairs of that or of any similar country. Let us hope that our justice, our long suffering, our moderation, and the absence of all greed of conquest, may make a due impression in the East, and that at least we shall obtain one useful result to compensate for the expenditure and loss of life of this expedition — the conviction throughout the world of our moderation and of the honesty and straightforwardness of our foreign policy. And for heaven's sake let this unhappy business serve as a lesson to us in future to avoid that brood of adventurers, schemers, speculators, and intriguers, who are for ever thrusting upon the Foreign Office their plans and recommendations for the extension and establishment of British influence, interests and trade, in distant and barbarous lands, regardless of the result to this country and to the difficulties and dangers in which they may involve us.

No doubt that some of the steps taken by Her Majesty's Government in carrying out this expedition may be open to criticism. For instance, in my opinion, it might and ought to have been sent earlier in the year — in October. It might, I think, have consisted of a much smaller force—of 2,000 to 5,000 men—with even a better prospect of success. Again, as I urged last Session, negotiations should not have been given up; but an officer, accustomed as a diplomatist to deal with Eastern States, should have been selected to command the force which should have been ostensibly sent out, as it were, to back the negotiator. However, upon these subjects the Government have, of course, acted upon the best advice they could obtain, and upon information which I do not possess. Such being the case, and knowing, as I have good reason to know, the extreme difficulty of dealing with this Abyssinian business, I do not desire to criticize or condemn them. They are, no doubt, acting under a deep sense of their responsibility; and they are carrying out the measures which they consider necessary to the attainment of the objects they have in view to the best of their ability. Of course, whilst approving of the expedition, I do not commit myself to the approval of the measures by which it is proposed to carry it out. Of the grounds of those measures I am, of course, in ignorance; and if, by their adoption, failure or disaster should ensue, I reserve to myself full right to criticize and condemn them hereafter. I think that this reservation is perfectly legitimate and just; and I am glad to see that it receives the assent of the noble Lord and right hon. Gentleman (Lord Stanley and Mr. Disraeli) opposite. In the meanwhile, I think that it would be inconsistent with the duty of a good citizen to throw difficulties in the way of the Government, or to seek to embarrass them. I, for one, shall give their endeavours to bring this unhappy business to a successful issue my most hearty support.

SIR STAFFORD NORTHCOTE: Sir, it is very natural that the hon. Member who has just sat down (Mr. Layard) should have availed himself of this opportunity for reviewing the course of proceedings which may have led to the unfortunate necessity under which the Government find themselves placed, of having to ask this House for means to enable them to carry on a war in Abyssinia. But it is not my intention—and I am sure the Committee would not desire that I should do so—to follow the hon. Member into a discussion upon the proceedings which led to our present position. As was said by the noble Lord the Secretary of State for Foreign Affairs, what we have to consider is not so much the faults in the proceedings which have led to this unfortunate result, nor even whether Consul Cameron was or was not to blame in the matter, but whether we are justified in sending out an expedition to obtain the release of Mr. Rassam, a British Envoy, who was seized while discharging his duty as the bearer of Her Majesty's letter, and against whom no misconduct can be alleged. It is in order to obtain the release of that gentleman that this expedition is more particularly designed, and I think, as far as I have seen, that the feeling of the Committee is in favour of the Vote which has been proposed in order to effect that object. There has been no suggestion made in favour of an Amendment being moved; and, although a certain amount of criticism has naturally been elicited by the discussion, no serious intimation has been given by any hon. Member of his intention to oppose the Government proposition. The Committee will, however, see that the proposition now made by the Government is not complete in itself, and does not dispose of the whole matter. There are two other important questions to be considered. The first of those two questions is whether the whole expense of this expedition shall be discharged out of the English revenue, or whether to any extent it shall be borne by the revenue of India. It is to this question that the Resolution of which I have given notice applies. The second question is also one of grave importance—namely, in what manner, assuming the Vote to be agreed to, the funds are to be provided. Upon these points the House of Commons is perfectly free to decide, whatever may be said as to its being more or less pledged by the action of the Government to provide somehow or another for the expenses of this expedition. Perhaps it may be admitted that in the ordinary way in which matters of this sort are dealt with the Government have placed the House of Commons in such a position that they can hardly refuse to find means for defraying the expenses of this expedition; yet it is unquestionably true that with the other points to which I have referred the House is perfectly free to deal. It is scarcely reasonable that at this period of the evening we should ask the House to enter into two questions of such delicacy and such difficulty as those to which I have referred, and which, in all probability, will give rise to some considerable discussion; and therefore I have now to mention, on behalf of the right hon. Gentleman the Chancellor of the Exchequer, that if the House is willing to agree to this Vote to-night it is his intention to lay before the House in Committee of Ways and Means on Thursday night the mode in which he proposes to provide for the expenditure which the House is now asked to sanction. I have also to state that on that day I shall be prepared to propose the Resolution which stands in my name, and which refers to the part which Her Majesty's Government think should be borne by the Indian Government of the expense of this expedition. Under these circumstances, taking into consideration the feeling of the Committee upon the question now before it, I think I might have abstained from troubling the Committee with any remarks had it not been for one or two observations which have been made in previous speeches, which it is impossible for me, with any regard to the credit of the Government or to the satisfaction of the country, to allow to pass without comment. There are two points on which the course taken by the Government has been challenged and very seriously blamed. I should have hoped that after the speech which we listened to with such pleasure in the early part of the evening, and looking to the character which the noble Lord the Secretary of State for Foreign Affairs has won for himself ever since he sat in this House, we should have been spared the insinuations —nay, the direct charges — which have been made against him by the right hon. Member for Stroud (Mr. Horsman), of having deliberately deceived the House at the end of last Session in the speech which he made on the 26th of July. On that point I feel it due to the character of my noble Friend, and to the Members of the Government generally, to make a few remarks. Again, it has been said—perhaps with some appearance of plausibility—that the course which the Government adopted towards the close of last Session was such as to evade the just control which it is so important that this House should exercise in matters of this kind, and that therefore our proceedings might, in fact, be fairly regarded as unconstitutional. With reference to the first of these points, I wish to prove to the House that what the noble Lord said on the 26th of July was the perfect and absolute truth; that his speech described exactly what the position of the Government was at that time, and that the statement he then made is not in any way contradicted, but, on the contrary, is confirmed by the papers which have been laid upon the table of the House. Now the noble Lord's speech of the 26th of July was made in answer to a Motion brought forward by an independent Member of the House, which asked the House to affirm that it was expedient that force should be used for the rescue of the prisoners. The noble Lord stated, in answer to that Motion, that the matter was undergoing the most careful consideration by the Government—that there were two courses open to us, either to proceed by way of conciliation or by way of force. He stated what the Government had done and were doing in the way of conciliation; but expressed his fear that the time of conciliation was passed, and that there was no prospect of such a policy being successful. He then said that the very grave question had arisen, whether we should proceed to procure the release of the prisoners by force—that he was making inquiries as to whether force could be safely and satisfactorily used; that the responsibility of the decision must ultimately lie upon the Government; and therefore he asked the House to allow the decision to rest with those on whom the responsibility must rest. That was the position taken by the noble Lord. The House knew perfectly well what the actual position of affairs was at the time that speech was made. They knew well enough that it was under the consideration of the Government, whether recourse should or should not be had to force, and that the decision of the Government, whatever it was, must be arrived at during the Recess, because that would be the season for operations. What happened? Did any one rise and say he objected to leaving the decision with the Government? The matter was before the House for three or four weeks, and yet no hon. Member made any objection to the decision resting with the Government.

Mr. OSBORNE: Yes, one did.

Sir STAFFORD NORTHCOTE: I have no recollection of any such objection being made.

Mr. OSBORNE: The hon. and gallant Member for Aberdeen (Colonel Sykes) objected to the proceeding.

Sir STAFFORD NORTHCOTE: Well, perhaps my recollection on this point is at fault; but, at any rate, three weeks elapsed during which neither the hon. and gallant Member for Aberdeen, nor any other Member, brought forward any direct Motion upon this question. It is said that my noble Friend deceived the House and the country. But that this was not the case will be seen by the comments which were made by the press at the time on the speech made by my noble Friend. I had occasion, some time ago, to look back to the opinions expressed at the time by the organs of public opinion, and if any hon. Member will refer to a remarkable article which appeared in *The Times* three days after the delivery of that speech, they will see it stated therein that it was evident the Government were contemplating an expedition, and that it behoved the country to consider what they were about. I maintain, therefore, that ample opportunity and notice were given that this matter was under consideration; and if, in the opinion of any hon. Member, it was improper to leave the Government to act upon their own responsibility, it was competent for him to have risen and to have demanded a pledge that the Government would take no action without first of all submitting the matter to the decision of the House. But this is not all I wish to say. My noble Friend stated precisely the circumstances as they stood at the time. Now, what was the position of the question, and what knowledge did the Government then possess with regard to these matters? On the 26th of July, when my noble Friend delivered that speech, the circumstances were these. A letter, which has been described as an *ultimatum,* had been forwarded to the King of Abyssinia by my noble Friend in the month of April preceding, and three months were allowed for the King to act upon the demand contained in that letter. Those three months would expire on the 17th of August. It was the belief of my noble Friend at the time, and it was also the belief of the Government, that we were not likely to know the effect of that letter until some time after the 17th of August; in fact, allowing the usual time for communication to pass, he believed that we should not know whether the King would release the captives or not until the middle of September. We also knew by communications with Bombay that it would take some four months or more to get the expedition ready if we decided upon making preparations for sending it. We were, therefore, under the impression that an expedition could not be fitted out and prepared until something like the middle of January. Under these circumstances, we were under the impression that it would be impossible to begin any preparations this year. At the same time, we had sent letters to certain persons in India and invited their opinions upon the subject, and we knew that Colonel Merewether and others were making examinations on the spot. Now, let me remind the Committee—what will be seen from the blue book presented to the House on the 1st of August—of the proceedings which had taken place in the earlier portion of the year. In the months of April and May the question had been under the consideration of the Government. My noble Friend had determined first of all to exhaust every peaceable means of obtaining the object in view, and had sent this *ultimatum ;* but he requested me to communicate with India, and to ascertain the course of proceeding which the Indian authorities would recommend in case it should be necessary to resort to force. I had written in April to the Government of India and to the Governor of Bombay on this subject, and about the middle of July we were beginning to receive communications in reply to those letters. Two or three days before the debate I had received minutes from Sir William Mansfield and others, giving their views with regard to operations, and very few days after the discussion—and this is one of the important points in our case—we received a most important communication from Sir Robert Napier, whose attention had also been directed to the subject. Now, if the House will kindly allow me to direct their attention to two or three dates, they will see how the matter stood. On the 26th of July my noble Friend said we were making inquiries—and this was perfectly true. On the 29th of July we received a telegram from the Governor of Bombay telling us what we were not previously prepared for—that if preparations were commenced immediately an expedition could be despatched which would finish the whole business in the course of one season. We were not prepared for that. The Governor of Bombay informed us that he must be allowed to collect transport in India. This was a matter of serious importance, and it was brought under the consideration of the Government. The question we had to consider was whether we should begin to make provisional preparations or not. The right hon. Member for Stroud (Mr. Horsman) took upon himself to say that expenditure had been ordered before my noble Friend made his speech on the 26th of July. It was no such thing. The first expenditure was not sanctioned by the Cabinet until a few days subsequently, when it was decided—and I believe I quote the exact words—that "we would make preparations for an expedition which it might become necessary to send to Abyssinia." We were in this position—if it should ultimately become necessary to act, and if we had taken no steps to procure transport, we should find ourselves thrown over by our failure in that respect. And when I brought this subject prominently under the notice of my Colleagues I was asked by my right hon. Friend the Chancellor of the Exchequer what expense would be incurred. My answer was that it would involve an expense scarcely worth mentioning; because all that would be required would be to make selections of officers and send them to the proper places for collecting animals, and that, if the expedition should be found unnecessary, the purchasing could be stopped by telegraph; and I added, that the expense would probably, at the very outside, not exceed £100,000. On the other hand, if those preparations were not commenced, and if we waited until the middle of September, the time when we expected to know definitely the effect of the letter sent to the King of Abyssinia, it might be impossible to undertake an expedition this year, or, if undertaken, it would be attended with greatly increased difficulties and disadvantages. Under these circumstances orders were given—and if I may venture to allude to so small a matter, the House will observe that two telegrams were sent, one on the 31st of July, and a second on the 1st of August. The first one was, "Prepare to collect transport animals," and the second—thought necessary by the counsel of my military advisers who thought that the first was open to be mistaken—"Proceed to collect transport animals." I mention this to show how the mind of the Government was forming itself as to the necessity of these measures. Hon. Gentlemen will see by the confidential letter which I addressed to Sir Seymour Fitzgerald that we left as much as possible to the discretion of the Bombay Government and Sir Robert Napier the decision as to how they should proceed. And why did we so leave it? The important question was not whether we had a good *casus belli* against King Theodore—not whether there was any probability of conciliatory measures being effected—the important point with us, and it was a point mentioned by my noble Friend in his speech—was whether we could undertake to carry through an expedition into Abyssinia. Now, who was so likely to ascertain the point as the military officer who had been turning his attention to the subject, who knew the troops with whom he would have to act, who had had experience of campaigns in countries of a somewhat similar character, and who had been collecting information that would be available. We were therefore, I think, justified in leaving those matters to him; nor can I see that in so doing we were casting off any responsibility which properly belonged to the Government, because we were simply leaving to him questions which a military man alone could decide, and which could best be decided by a military man who knew the country into which the expedition was to be made, and the troops with whose assistance it was to be carried out. Now, had Sir Robert Napier acquired sufficient information? That was another point for grave consideration. I am bound to make this case as clear as I can for the credit of the Government, and because it really has a great bearing upon the privileges of this House; and I must remind hon. Members that the case stood in this way:—We had desired that certain officers should be sent—and it was to that my noble Friend referred—to the spot to make investigations; but investigations were already going on by a very competent person. In one of the despatches towards the close of the blue book presented to the House last Session hon. Members will find a reference made to M. Munzinger, the French Consul, who had been taken by Colonel Merewether to Massowah, and who had gone to explore a certain route. On the 5th of August we received a despatch from Colonel Merewether, in which he mentioned that this gentleman had returned, and had brought very valuable information, which he was about to forward in a separate despatch. I had telegraphed to the Government of Bombay, requesting them to send officers to make the inquiries, and they replied that they would send those officers when they had seen Colonel Merewether; but that they had first sent for Colonel Merewether. They were disposed to rely on his information, and he had the advantage of the information of the French Consul. Therefore, to a considerable extent the inquiries about which we were anxious had been made. On the 13th of August we received two important papers. One of these is a despatch, dated the 26th of July, and written by Colonel Merewether, stating towards the close that the King had received the messenger with the *ultimatum*, and had dismissed him without any reply; and stating, moreover—a matter which I think very important, though it is not regarded in that light by the right hon. Gentleman the Member for Calne—that he was perfectly satisfied from the contemptuous mode in which the King had dismissed the messenger, after eleven days waiting without any reply, that nothing was to be hoped for from the attempt which had been thus made to obtain the release of the prisoners. We had that despatch before us, and we then knew for the first time that we were free to act. If, however, we had before that come to the House and had asked for a Vote of £2,000,000, in order to fit out an expedition if it should be found necessary, and if the House had been informed that we had not learnt the result of the *ultimatum* we had sent, I should like to know what answer we should have received? Had we asked for £2,000,000 on account I should like to know what the House would have said? That was one piece of information which we received on the 13th August; but there was another which was of great importance, and which had a considerable influence in the decision of the Government. I am very sorry that, owing to the pressure of a great deal of other business, the papers relating to this subject have been laid on the table of the House in a form which makes it difficult for any one who reads them hurriedly to trace with exactness the course of events. Another circumstance which makes that difficult for hon. Members who have nothing to guide them but the blue books, is that a great deal of the information contained in them came to me in an unofficial shape before the dates at which they were transmitted officially. Thus, in page 266 of the last blue book will be found a paper from Sir Robert Napier, dated Poonah, July 23, 1867. Now that document reached me privately on the 13th of August, and it was brought by me before my Colleagues on the 14th of August. It showed that considerable attention had been given in India to the subject of an expedition. We were in this position when the Cabinet met on the 14th of August—that I was able to bring before them the letter of Sir Robert Napier and the despatch of Colonel Merewether. What did the Government do on that occasion? It has been said to-night that the Government then declared war. They did nothing of the sort. By my letter of the 31st of July the Government gave certain instructions to Sir Robert Napier, directing him to proceed with greater or less rapidity, according to what he might feel to be necessary. By a despatch of the 14th of August we sent instructions to Sir Robert Napier, through the Governor of Bombay, to deliver a peremptory message demanding the release of the prisoners; but we left to his discretion the time when the demand should be made and the military measures which should be taken to enforce it. At the time we sent out that message we were still uncertain whether Sir Robert Napier, if he should find it necessary to follow up the demand by a resort to arms, would be able to do so during the present season. We had every reason to suppose that he would take a practical view of the matter; and we cast upon him the responsibility of acquiring all that information for which we were so anxiously looking and of which a considerable portion had already been obtained, but of which a considerable portion still remained to be procured. This was on the 14th of August. Now, the House will remember that Committee of Supply had been closed on the 10th of August. It was therefore impossible to bring this matter before the Committee of Supply, because we had not received the reply of Theodore at that time. Of course, we might have taken steps to obtain a Vote of Credit; but in order to do so we must have called hon. Gentlemen back from all parts of the world; and suppose we had done so, what could we have told them? That we really did not know what we were going to do. What had we done? We had put the matter in the hands of Sir Robert Napier; and up to as late a date, at all events, as the 17th of September, we were still in doubt as to whether or not it would enter into his plans to proceed with an expedition during the present season. On the 17th of September, it will be seen, I telegraphed to the Governor of Bombay stating that we required to know as early as possible when the final demand would be made of King Theodore, when we should hear whether actual operations would become necessary, and on what day the first brigade would start from Bombay. That telegram was sent in order that the Cabinet might decide whether it would be necessary to call Parliament together in November. Up to that time everything had been provisional. Undoubtedly, as matters proceeded, it had become more and more probable that an expedition would be necessary; but there was no certainty on the point till a month after Parliament had separated. I admit that all this is extremely inconvenient; but it did not arise from any voluntary action on the part of the Government, it arose from the nature of the circumstances themselves. I hope that some of the hon. Gentlemen opposite who have challenged the proceedings of the Government will point out at what time and in what way we ought to have acted differently from what we have done. I do hope they will tell us whether we ought to have acted differently after my letter of the 31st of July, or after my telegram of the 14th of August. If they will do so we shall see where we are. The matter rests in this way:—It is impossible for an assembly like the House of Commons to fix the moment at which the Executive Government shall take such a step as declaring war, and even if that were possible such a practice could not be enforced unless Parliament is prepared for this contingency — that it shall be in permanent Session. It is impossible, when the interests of the country require that you should act promptly, that you should on all occasions obtain the preliminary sanction of Parliament unless Parliament shall remain in permanent Session. I have said that we had no certainty on the matter till the 17th of September. Ought we to have kept Parliament sitting all through September? I feel confident that no one will think that desirable. Well, not having done that, we have called Parliament together to ask for its approval at the first moment possible. I will remind the House of what I said when commencing—that in July my noble Friend the Secretary of State for Foreign Affairs intimated distinctly that this policy of an expedition was under consideration, though not decided upon. No challenge was given to that; and though much has been said of our having declared war and taken war measures without the consent of Parliament, we have really not done so up to the present moment. I may seem to be drawing a refined distinction, but really it is not so. What we directed Sir Robert Napier to do was to make a demand, and, if that demand should not be complied with, to support it by an adequate force. On consideration of the matter in India, it was thought expedient that the demand should not be made until an adequate force was collected for the purpose of enforcing it. On the 16th of October that letter was sent on from Massowah. It probably did not reach King Theodore until some day between the 5th and the 10th of November; so that it is as yet impossible for us to say how it may be received. The troops who have gone are not in the territory of the King of Abyssinia. They are on neutral and friendly territory, where they are pursuing inquiries as to the state of the Abyssinian country. It was the opinion of Sir Robert Napier that instead of sending five or six officers to make these inquiries the force should be one of greater magnitude, in order that sufficient protection might be provided for those who were engaged in these preliminary inquiries, and also in order that there should be an adequate guard with the animals. That is the reason why the advanced party was larger than the House or the Government had supposed it would be. We were of opinion that the expedition would not commence till the month of December, and therefore that, in point of fact, it would not commence till the sanction of Parliament had been obtained. The preparations of the Indian officers have rather outrun our expectations. They have advanced very far in making preparations for landing, and in carrying out the surveys which my noble Friend had in view when he addressed the House in the month of July. I trust that the Committee will pardon me for going into details at such length; but I was anxious to explain rather minutely to the House, once for all, the exact dates of each transaction in the course of our procedure, in order that there might be no justification left to any one to say either that Her Majesty's Government had deliberately deceived Parliament, or had unnecessarily acted without its sanction. There is only one other point arising out of the discussion this evening on which I should like to make a few remarks, and it is with reference to the size of the force which we propose to employ. That is a point with regard to which I feel a very considerable responsibility, and on which I quite admit the Committee has a perfect right to demand explanations. My noble Friend the Secretary for Foreign Affairs has stated truly that the main reason why we assented to the employment of so large a force was that it was proposed by the General in command; but, at the same time, we did not put ourselves blindly in his hands as the hon. and gallant Member for Truro (Captain Vivian) seems to imply. In the first place, his opinion was supported by other military authorities. For instance, the military Members of the Council in India were both in favour of a force of about the magnitude that is proposed. Then, again, the opinion of Sir William Coghlan to the same effect was not to be passed over, and I may add that the illustrious Duke the Commander-in-Chief of our forces was decidedly in favour of the force proposed. The opinion of Sir Robert Napier was also confirmed by reasoning which ought to have considerable weight with the House. If the Committee will refer to the two memoranda to which I have referred of the 23rd of July and the 8th of August, the grounds on which Sir Robert Napier proposed so large a force will be seen; and perhaps I may be allowed to read an extract from a private letter which I have very lately received from him, and they are the last observations I shall address to the Committee. His words I am sure will carry more weight than mine. With regard to the size of the force that should be employed, it appears to me that the remarks of Sir Robert are very conclusive, and they show how the Government were influenced in coming to their decision on this point. He says—

> "I am very glad that you agree with me in the necessity of going on safe grounds. What would be the fate of a small party of 5,000 men, perhaps reduced by sickness and fatigue, if they should find themselves unable to effect the release of the prisoners, or to catch Theodore, or to stay where they were for want of supplies? What would become of their sick and wounded on their return through 400 miles of difficult country? From my experience of the absorption of troops in maintaining communications, I can assure you that I have taken a moderate estimate of the number required to maintain so long a base line. I trust so to arrange as to have strong supporting posts well supplied with provisions, so that when I have to retire I shall do so in increasing strength and security. If it should be necessary to pass a longer time than we now contemplate—which I heartily pray may not be the case—I shall be able to draw up my supplies when necessary. If we take troops where we cannot feed them, we shall only have to bring them back with loss from privation and sickness. If we do not protect them from climate and the weather by proper tentage, clothing, and comforts they will not last long. If we have deficient carriage it will only prolong the business."

The object of Sir Robert Napier is the same as ours—namely, to accomplish the matter safely, speedily, and in such a manner as to leave us in no embarrassment when we desire to retire from the country. We have great confidence in his judgment; and we fully trust that in leaving the matter in his hands, and in having made all the preparations which his experience has suggested, we have taken a prudent course, and a course which will receive the approbation of the House and of the country.

COLONEL SYKES said, he was glad to hear the view taken by the hon. Member for Southwark (Mr. Layard) as to Earl Russell's conduct in regard to the Consuls. He had himself from the beginning taken the same view, for there could be no doubt that we had been brought into our present dilemma in consequence of Consuls Plowden and Cameron having disobeyed the repeated injunctions communicated in the despatches of Earl Russell, dated respectively the 2nd of February, 1860, 2nd of February, 1861, April 22nd, 1863, and subsequently. Moreover, the *exequatur* being expressly for Massowah and Turkish possessions and not for Abyssinia at all, the proceedings in which country he was simply desired to "watch," and nothing more; nevertheless, in 1849 Mr. Plowden went into Abyssinia and made a commercial treaty, dated November 2, 1849, with the then King of that country, which, however, was repudiated by Theodore on his usurping his father-in-law—Ras Ali's—throne in 1854. Lord Russell was advised to insist upon the fulfilment of this treaty; but, in reference to this subject, Lord Russell wrote with prophetic judgment—

> "That, considering the short duration of power of Abyssinian Kings, the difficulty of proceeding with a regular British force to their seats of Empire, the little value of a victory when gained, and the risk of failure and the certainty of expense, it had seemed to the British Government to be the preferable course to withdraw as much as possible from Abyssinian engagements, Abyssinian alliances, and British interference in Abyssinia."

Yet in spite of such instructions our Consuls there had involved themselves in the affairs of the country, and had thus led to the present embarrassment. Mr. Plowden was taken prisoner and wounded by brigands in 1860 on his way to Massowah and was ransomed by King Theodore, but he died of his wounds; the King was much attached to him, and resented his capture by entering the district where it took place and slaughtering 1,500 of the inhabitants. Mr. Plowden was succeeded by Mr. Cameron, who, however, was expressly ordered by Lord Russell to go to Massowah, which was not in Abyssinia. Instead of obeying he went to King Theodore in October, 1862, who gave him a letter dated November, 1862, to convey to Queen Victoria; but, instead of obeying the King's instructions, he went into the province of Bogos, sending the letter to Massowah by two Abyssinians, and afterwards went himself to Kassala, in the possession of the King's enemies—the Egyptians. On his return he had the indiscretion to go into the King's camp in July, 1863, who immediately demanded whether he had brought an answer from the Queen; and on his admitting that he had not, the King, in a rage, asked him where he had been. Cameron admitted to Bogos. "Yes," said the King, "but you went also to Kassala among my enemies! who sent you there?" Cameron replied, he was desired to make inquiries by the Foreign Office. "Oh!" said the King, "You can hear from the Foreign Office, and not bring me an answer to my letter; you do not leave me until you do!" and he has been a prisoner since. When the news of Mr. Cameron's imprisonment reached England in 1864, Mr. Rassam was sent out in the character of Envoy, and his instructions were published in the *London Gazette*, dated 31st October, 1865, and he arrived at Theodore's Court on the 28th of January, 1866. He very much disapproved of this proceeding. Either a mere agent should have been sent, or else an Ambassador clothed with proper dignity, and accompanied by a proper escort. The position of Mr. Rassam did not justify the selection of him as a representative of the Queen. Indeed, he was a subject not of England, but of Turkey. He was at Mosol, assisting the hon. Member for Southwark to dig out bulls and sculptures from the mounds of Nineveh, and was mentioned by the hon. Member in the first volume of his work, at page 54, as the brother of the Vice Consul at Mosol, and he was employed to superintend and to pay the workpeople employed in the excavations. Exactly three years and fifty-eight days after the date of the King's letter to our Queen, Mr. Rassam delivered a reply from the Queen on the 28th of January, 1866, to the King, who received him with great honour, and treated him as a personal friend. On the 29th of January, 1866, the King wrote an answer to the Queen's letter, and on the 17th of April he wrote a second letter to the Queen, repeating that he had released the prisoners. There was a general jubilee, and the King supplied the released prisoners with mules and money for their journey, and said they might go. Knowing the King had a personal dislike to Cameron and Stern—the latter of whom had been condemned to death for treason, and pardoned by the King—Mr. Rassam wished to get them out of the country without taking leave personally of the King, and he sent them away privately, retaining only Dr. Blanc and Lieutenant Prideaux to take leave of the King along with himself. When the King heard of this he said to Mr. Rassam, "Where are the prisoners? I want to see them." Mr. Rassam replied, "You gave us leave to go, and I have sent them away." "What!" exclaimed the King, "without my being reconciled to them?" The King, in a rage, then ordered the three to be put in chains. On the 13th April, the rest of the prisoners who had left Korata were brought before the King in chains, and a most extraordinary scene took place, as narrated by Mr. Flad and Dr. Blanc (blue book, page 39, No. 29, April 17, 1866). The King questioned them in succession. He asked Mr. Cameron first, "Did you abuse me?" and Mr. Cameron said, "I confess I did." All similarly confessed to having abused him, and Mr. Rassam admitted to sending away the rest of the prisoners surreptitiously. Cameron and Stern were kneeling on the ground. The King then ordered them to rise, and also the removal of their chains, and said, "I forgive you all in the name of God." The King added, "I have loaded you with chains; you must forgive me; the reconciliation must be mutual." The prisoners desired to waive any claim to forgive the King; but he said it was the custom of the country and he must insist upon it; and he then dropped down upon his face. They told him to rise, and he asked, "Can you forgive me?" They repeated in the form he had used, "We forgive you in the name of God," and there seemed a perfect reconciliation. The King, however, then asked that a steam-engine, artizans' tools, and artizans should be sent to him from England, and said that Mr. Flad should take his letter and requests to the Queen, and that Mr. Rassam must wait until the return of Mr. Flad with these proofs of the goodwill of the Queen. Mr. Flad returned, unfortunately, without the presents. The steam-engine was not ready when he left England, and the artizans and some of the presents he had not brought on from Massowah. The suspicions of the King were thereby confirmed that there was not a friendly feeling towards him, and he would not suffer the prisoners to depart. If the presents and the artizans had been sent forward matters could not have been made much worse, even if he had made prisoners of the artizans. At least, the King would have been put further in the wrong, whereas his suspicions of our sincerity were confirmed by their retention. Had negotiations been continued we might have been saved the necessity of this expedition. As it was, the expedition had been resolved on even before Parliament rose in August; and the House of Commons had now nothing to do but to refuse the supplies and turn out the Government, or to accept the situation and tax the people. Was that a right position for the House to be placed in at any time? Undoubtedly, to have expended money in sending troops from India without the previous consent of Parliament was an unconstitutional proceeding on the part of the Government, and in contravention of the Act of 1858; but the House of Commons was now helpless, having only the alternatives he had named. It seemed doubtful whether all possible inquiries had been made about the routes by which the interior could be reached before the advanced guard of the expedition had sailed from Bombay. A trader who had been fifteen times from Massowah into the interior had told him (Colonel Sykes) of passes which men were obliged to go through in single file, and where it was necessary to unload mules, and of ascents so steep, that bullocks had learned to go upon their knees in order to mount them. What prospect did such routes offer to our expedition burthened with ordnance and commissariat stores? Coming to the question of prestige, upon which so much stress had been laid, he asked how our prestige could be affected in India from transactions in a country the very existence of which was unknown to the great bulk of the people of India; he did not believe one in 10,000, nay, in 100,000 of the people of India had a name for Abyssinia. In dictionaries of Oriental languages compiled by Europeans, the Arabic word "Habais" was applied by the Arabs not to Abyssinia, but to the tract along the coast, inhabited by Mahommedans, who are hated by the Christians of Abyssinia. But, admitting our prestige to be in question, it was much more in jeopardy when Hyder Ali was at the gates of Madras — when Baillie's force was cut up and the officers made to work on the fortifications of Seringapatam — when Monson retreated before Holkar and lost his army—when Lord Lake failed before Bhurtpoor; and when our army was lost in Affghanistan; yet we could suffer these disasters, and nevertheless rise to be paramount over 200,000,000 of people; and we might well therefore have afforded to let the petty caprices and insults of Theodore pass, without sending 12,000 men to resent them. At all events, it might have been well if we had waited a little longer and seen if the prisoners could have been released by presents, or by other means than force. The rescue of the English prisoners might cost £1,000,000 each. There were Frenchmen among the captives; but the Emperor did not think of sending a force to release them; and so with the Germans, Swiss, and Italians who were among the prisoners. Their respective Governments did not think it necessary to interfere, and we might suppose their sense of dignity was not less acute than our own.

Mr. GLADSTONE: I am sorry to detain the Committee at so advanced a period of the evening; but I will promise to avoid all unnecessary detail, and there are some points with respect to which it is desirable that the Committee should understand clearly what our position is. I gather from

what has fallen from my right hon. Friend (Sir Stafford Northcote) that it is proposed that on Thursday we should proceed to consider the plans of the Government for meeting the expenses of this expedition, if the Vote should be taken to-night, and that we should then likewise consider the Resolution of which my right hon. Friend has given notice with respect to the charging of certain ordinary expenses upon the revenues of India. That is a perfectly fair and reasonable arrangement; and I only beg that my right hon. Friend will inform us on that occasion whether or not the plan now proposed by the Government with respect to the charging of these expenses on the Indian revenue is or is not the same plan as was pursued now nearly thirty years ago, I think, in the case of the first Chinese war. I have no doubt the facts have been under the notice of my right hon. Friend, and the Committee should be put in possession of the precedents which may exist for the course proposed. With regard to the Vote of to-night, it is quite evident that as practical men we have no choice. It is not a question whether we are to have a military expedition against Abyssinia; and as we are to have such an expedition, there is no question but that we must pay for it. These points stand beyond the reach of all dèbate. The question is whether we are to condemn the proceedings of the Government. Now, I am bound to say, that, looking at the whole case and at all its difficulties, though not, perhaps, able to say for myself whether I should have arrived at precisely the same conclusion on the facts, I am wholly unprepared to censure or condemn the policy which the Government have pursued; and I think it no more than justice to admit that—speaking generally and without entering upon the question whether errors of judgment may or may not have been committed, one way or the other—the Government appear to me in their general conduct to have been guided on the one hand by those mingled sentiments of regard to the honour of the country and the fair and just rights and claims of British subjects, more especially of a British Envoy, and on the other hand by that love of peace, which upon the whole is what we wish to find in those by whom the affairs of the country are administered. But while some questions are closed, several other questions remain open. With these views upon the general conduct of the Government, I certainly do not think that any public advantage would arise from discussing in detail this or that part of the military operations, which have been undertaken, or from hinting doubts and misgivings, if we entertain any, on that subject. This expedition having been undertaken in the name of the country, and in a cause which is undoubtedly just, the first wish of our hearts and minds must be for its success, and it is far better to abstain from discussions, which perhaps at another time and place might not be unprofitable, than run the risk of weakening in any degree the hands in which authority is placed for the purpose of prosecuting a great public object. Perhaps it may seem almost ludicrous if I say upon one important question, whether all pacific means have been exhausted, that I should have been glad had we heard in the course of the evening what was the ultimate fate of the suggestion of Mr. Petherick with reference to what I may call "the salt blockade." The noble Lord will recollect that ex-Consul Petherick, who is well acquainted with the whole of these countries, states in this blue book, and is to a certain extent supported by Sir William Coghlan, that the article of salt is not obtainable in Abyssinia except from the coast; that it is of such vital importance that, with the exception of certain gold pieces of Austria, it is the only currency of the country; and he suggests that a pressure should be brought to bear upon the King by establishing a blockade and stopping the traffic in salt. It is possible that that may be a visionary scheme; but, coming from a gentleman of such authority, I should be glad to hear what consideration was given to it. There are points of great importance, which, as I have said, stand in a position not entirely clear. I have spoken of the general views and policy of the Government, and I have renounced all criticism upon military questions. But the questions which I think might be clearly answered are these:—We start from the speech of the noble Lord (Lord Stanley) on the 26th of July, in which he described the general dearth of the information which would be indispensable as a preliminary to deciding upon the expedition—a point as to which, undoubtedly, as he has stated, full liberty was reserved to the Government. They had not that information on the 26th of July. They had information on the 14th of August, on which day, as I understand, the decision of the Government was substantially arrived at. Now, of what did that information consist? In the first place, it consisted of a telegram from the Governor of Bombay, which stated that if the Government chose to go forward at once, they were not yet, in his opinion, too late to proceed in the present season. I admit that to be information of great importance. The next point was that a letter was received from Colonel Merewether on the 13th of August, and this letter is treated by the Government as putting an end to the question with respect to the *ultimatum.* I am not able to see that so much importance is to be ascribed to that letter as the noble Lord appeared to give to it, because the time appointed for the *ultimatum* had not expired, and after all the declaration of Colonel Merewether's was nothing more than a general opinion, though unquestionably a weighty and important opinion, that the Emperor Theodore would not accede to the terms. His letter darkened the prospect very much for the future; but I do not see what there was in it to precipitate action. Then the noble Lord the Secretary for Foreign Affairs says that very important information had been obtained from the War Department with respect to routes in Abyssinia. I admit that such information was of the highest importance; but I am surprised that it does not appear in the blue book. And, without wishing to be otherwise than complimentary to the compilers, there is a good deal of matter in the blue book which we could have dispensed with, in order to make room for information about these routes in Abyssinia. They are not in our hands, and I offer no opinion on that branch of the subject. My right hon. Friend the Secretary of State for India mentioned that at the latest moment, on the 13th of August, a paper was received from Sir Robert Napier, which certainly is one of great importance. It would be almost an insult to doubt the accuracy of my right hon. Friend, but I confess I am at a loss to understand his statement; for I find him on the 16th of August writing to the Governor of Bombay, stating that he is expecting to receive by the next mail the very information which is now represented as having arrived on the 13th of August, and to have influenced the deliberations of the Cabinet on the 14th.

SIR STAFFORD NORTHCOTE, having referred to the blue book, said that there was, in fact, an error, and that the papers had not been received on the 13th, as he at first supposed.

MR. GLADSTONE: There is certainly considerable difficulty in tracing the dates of papers which have been received, first unofficially and afterwards officially; but I think it is clear that this particular letter could not have been received as early as the 13th of August; but then it could not have been considered at the Cabinet Council on the 14th, and until we see this papar which is not yet in our hands, I am not able entirely to understand how the gap had been supplied when the Cabinet met on the 14th. I now come to the communication of this information and of the intention formed by the Government. As to the language held by the noble Lord the Secretary of State for Foreign Affairs, nobody could have intended to represent, either in this House or elsewhere, that the noble Lord on the 26th of July spoke otherwise than according to his own exact and true convictions. The matter is however important as to Constitutional precedent; and in expressing an opinion different from that which the Government have formed with regard to their own action, I do not mean to say that they acted otherwise than, as they believed, in accordance with their duty to Parliament, and, as I believe, attaching an exaggerated importance to the personal convenience of Members. What appears to have taken place was this:—On the 14th of August it was determined to send a military expedition to Abyssinia, subject to a possible change of view consequent upon information from India; as far, however, as the mind of the Government is concerned the decision was made at that time. The Secretary of State for India says, "Tell us what we ought to have done." I will tell him frankly my own opinion. As far as I am able to see, the conduct of a Government animated by a just and strict regard for the principles of the Constitution would have been this—when they determined to send an expedition from India to Abyssinia they should have come down to Parliament and announced that intention. My right hon. Friend said it would have been very inconvenient to have re-opened Supply. No doubt. The noble Lord says that some hon. Members were in Norway, and that probably seven-eighths of the entire number had left town, and my right hon. Friend says that, under these circumstances, it would have been almost impracticable to have a Committee of Supply. I dare say that is very true. But we are a Parliament composed of Gentlemen who are bound to sacrifice their personal convenience on great occasions. The noble Lord goes further, and says that it would have been unfair to break a promise that only ordinary business should be done. How could there be a promise that no war should break out in Abyssinia? These promises and understandings necessarily have reference solely to business of the ordinary character, and not to great emergencies such as arose in those few days between the speech of the noble Lord and the date of the Prorogation of Parliament. I say, then, without imputing any motive to the Government, I confess that it appears to me to be clear that their duty was to come down to the Parliament and make known their decision, and ask for such a Vote as, according to the circumstances, they would probably require within the course of the financial year. There is another point which I do not feel very clear upon. It appears to me at least doubtful whether the Act of 1858 has been obeyed. To the argument of my right hon. Friend the Member for Calne (Mr. Lowe) on that head the noble Lord applied one expression which I do not think was quite justified, for he spoke of it as a "rhetorical exhibition." That argument appeared to me very distinct; my right hon. Friend read the words of the Act, and I certainly thought we should have been favoured with the view taken by the Government. That Act makes an exception in the case of "sudden and urgent necessity." I do not suppose this will be considered a case of sudden or unforeseen necessity, for it is the consummation and winding-up of a long course of deliberate negotiations and proceedings. And though, of course, the decision to act, when it comes, is sudden, still it is plain that no decision growing out of proceedings of such a character can constitute sudden and urgent necessity. Perhaps it may be said that the expedition is to be paid for by advances only out of the revenues of India, to be ultimately re-paid by the British Treasury. In my opinion, that is the very thing the Act of 1858 was passed to prevent. Because if it be in the power of a Government—I am not now imputing by implication motives which I am sure do not exist to the present Government—to obtain advances from the Indian Treasury with a promise of re-payment, thereby they get from under and remove that very control of Parliament, the privilege of voting supplies, which is the check and counterpart of the Prerogative of the

Crown to declare war. The clause says that—

> "The revenues of India shall not, without the consent of both Houses of Parliament, be applicable to defray the expenses of any military operation carried on beyond the external frontiers of such Possessions by Her Majesty's forces charged upon such revenues."

A verbal question may certainly arise upon the wording of the clause; but all I can say is, that if the application of the Indian revenues by way of advances be not prohibited by the clause as it stands, that clause is little better than a dead letter. Another Constitutional point of great importance was raised in the speech of the Chancellor of the Exchequer, to which, with great deference, I beg to demur. He said, towards the close of his speech, that not 1*s*. had been spent by the Government excepting monies which had been voted and appropriated by Parliament. I presume, as far as the letter of the law is concerned, the power to which reference is there made would exist. But I will suppose a case for argument's sake. I will suppose that the House, having granted the Supplies for the military and naval services, and also a Vote on account of Civil Estimates, is prorogued in the month of April, and the Government then finds itself in possession of £24,000,000 or £25,000,000. If I understand the proposition of the right hon. Gentleman it is that these Supplies, which the House has voted for the regular and ordinary purposes of a peace establishment, but which undoubtedly the Government is legally entitled to apply to the purposes of war, might by the Government be applied to the purposes of any war, and that war might be prosecuted to the point of approximate exhaustion of the Supplies without any fresh application to Parliament, and yet no unconstitutional act would be done. I do not know whether that be the doctrine; but I protest against that doctrine. I do not at all deny that the Supplies which are voted are applicable to purposes of defence and war as well as purposes of peace, so that I do not stand upon a mere legal distinction; but I stand upon a practical distinction embodied in the Constitution, which I take to be this—that when there arises an occasion for a great deviation from the usual state of things, and when under some decision at which the Government has arrived, it becomes necessary to apply a large portion of the Supplies voted for the ordinary peace establishment for a warlike purpose, it becomes then the duty of the Government to submit the matter to Parliament, and ask for Supplies for the purposes of war, quite irrespective of the question whether their legal power to draw upon the Exchequer does or does not exist. That is, I believe, the true doctrine applicable to the case, and, if it be so, it is well that it should be understood. I therefore wish to state the matter clearly in order to elicit the opinion of the Government and the House upon it. With respect to our condition in the month of August last, I must admit that blank despair would have taken possession of the minds of Members, if the Chancellor of the Exchequer had on the 18th of August come down and announced the re-opening of the Committee of Supply. But, at the same time, I insist that no amount of personal inconvenience is to be put in competition with the discharge of duties put upon us by the Constitution. The right hon. Gentleman said, in a striking portion of his speech, that this was an age in which men thought of nothing but wealth and power. I think the right hon. Gentleman might have added that it is also an age in which men think a great deal of ease—and more, I am afraid, as far as Parliamentary habits of thought are concerned, than in former times, because I recall the time when a Parliament which had met in February had its Benches right well thronged on both sides of the House, on the 1st of September, by Gentlemen whose faces were rosy with their first taste of rural pursuits. Obedient to the call, they came up to consider the Amendments made by the Lords in the Municipal Corporation Bill—a measure which, however important it may have been, was certainly not more urgent than the question of a war to be carried on by Her Majesty's forces. I trust that in stating my opinions forcibly on these points I have not stated them offensively. I admit there was a great deal of difficulty in deciding on what would be the right course to take. The conclusion at which I arrive is that as long as a Government retains in its own mind any idea, however remote, that contingencies may arise to prevent the necessity of a military expedition so long should the Government hold back, and I freely accede to the doctrine of the noble Lord that the Government gained nothing by the postponement; Government, indeed, places itself in a far worse position by acting on its own discretion than by submitting its case in the first instance to Parliament, and getting its policy sanctioned by the country. But although I believe the doctrine which I have stated is sound and constitutional, that does not prevent me from according to the Government the credit which I think they deserve for the temper with which they have prosecuted this difficult business, or from affording them every assistance and support I can, both in regard to providing the Supplies necessary for the purpose they have in view now that the honour and credit of the country are pledged to it, and likewise in regard to the provision of Ways and Means by which these Supplies are to be obtained.

THE CHANCELLOR OF THE EXCHEQUER: I rise to remark upon one or two observations which have fallen from the right hon. Gentleman, although I feel that I have no cause to complain of their general tone. The right hon. Gentleman and others of his late Colleagues who have addressed the House have treated this question with that candour which, under the circumstances, might have been expected of those who have themselves exercised power under responsibility. I am quite sure that Gentlemen on both sides of the House must feel that there are elements in the circumstances in which we have been engaged this evening which place the general question entirely out of the narrow arena of party conflict. But when I say that, I, of course, do not wish in any way to disclaim responsibility for myself and Colleagues as regards our own special acts. Now, I will not enter again into the question as to whether in the interval between the 26th of July and the 14th of August such information came into the hands of the Government as to justify a change in the general opinions of my noble Friend the Secretary of State. We have heard his vindication of his conduct, and I think the majority of the House must agree with me that it was complete. There are papers yet to be placed upon the table of the House, and the House will be able to form its opinion upon those papers. The second accusation made by the right hon. Member for Calne (Mr. Lowe), to which also the right hon. Member for South Lancashire has referred, arose out of our conduct, as not strictly constitutional, in prosecuting this expedition without immediate appeal to Parliament. With regard to this point, I can say only that that matter was considered very gravely and deliberately; the best advice was taken so far as the merely legal portion of the question is concerned; and as to Constitutional considerations, we believed we were ourselves capable of dealing with them; and it certainly is our opinion—and that opinion is not shaken — that the course we took was one which, while it was convenient for Parliament, was strictly within the limits of Constitutional practice. It is certainly not a course that I would have preferred to take, and, no doubt, upon all occasions it is much more agreeable for a Minister to take the earliest possible opportunity of appealing to Parliament. In that case he would have his responsibility shared to a great degree by Parliament, and have also the benefit of whatever advice he might receive from them, as well as the support and strength which sympathy gives to one engaged in a difficult task. The position in which we were placed was one of great practical difficulty. If on the 15th of August we had come down to the House for a Vote of Credit, that Vote would have been little more than the Vote of the Lords of the Treasury. The Committee of Supply had been closed for several days; the House consisted of few beside Members of the Administration; it was impossible, under the circumstances, to have a call of the House, and an appeal to the House of Commons would probably, at the very outside, not have been more than an appeal to threescore Members, and we must have relied upon the Members of the Administration for our principal support. Now, that is not a satisfactory way to obtain a Vote of several millions for carrying on an unexpected war. So, although it would have been much more agreeable to have appealed to the House for its support, I think, under the circumstances, the course which we took, if it be a constitutional one —and I am prepared to maintain that it is —I cannot but think that it was not only more convenient to the House, but that it was more satisfactory to the country. The right hon. Gentleman seems to doubt—if I collected his meaning precisely—whether we had the power of availing ourselves of the sums which had been voted and appropriated for military purposes. I am advised, and I certainly do myself hold the opinion, that we had the power, and that it was our duty to avail ourselves of those sums. Finding we could avail ourselves of those sums which had been voted and appropriated, we resolved to call Parliament together at a moment which would be convenient for Members, and which would give them an ample opportunity of joining in our councils and exercising a control over this war, just as if we had obtained a Vote of Credit from them at the end of August. I am not aware that there are any other points which require my notice. The charges of the right hon. Member for Calne really consist only of two, both of which were completely met by my noble Friend. My noble Friend has, indeed, met every objection which has been urged against the course the Government has pursued, and against the policy which I trust the House will sanction. I entirely concur with the right hon. Gentleman that there is one subject on which there should be unanimity. We are now embarked in this enterprize, and it is most desirable that the House of Commons should show by a distinct exhibition of its feeling and sentiment that it is interested in the success of the expedition.

MR. WYLD defended Dr. Beke against the attack made upon him by the hon. Member for Southwark (Mr. Layard). He had had the honour of knowing Dr. Beke for many years, and he could say that he was a gentleman who had devoted his life, talents, and fortunes to discoveries in Abyssinia, and was at all times ready to give information to the Government, and he little deserved the epithets which had been applied to him by the hon. Member for Southwark.

MR. FAWCETT inquired whether the Resolution which the right hon. Gentleman the Secretary for India proposed to move on Thursday next was likely to come on at an early hour? He asked the question because he strongly objected to the policy of throwing any of the expenses of the expedition upon the revenues of India, and he was resolved to take the sense of the House upon the Resolution.

SIR STAFFORD NORTHCOTE said, that it was the intention of the Chancellor of the Exchequer to make his statement in Committee of Ways and Means first on Thursday. He apprehended that the discussion on that subject would not take up much time—probably an hour or two would be sufficient. He (Sir Stafford Northcote) would move the Resolution to which the hon. Gentleman referred immediately after.

Motion *agreed to.*

Resolution to be reported *this day;* Committee to sit again *this day.*

SALES OF REVERSIONS BILL.

On Motion of Sir ROUNDELL PALMER, Bill to amend the Law relating to Sales of Reversions, *ordered* to be brought in by Sir ROUNDELL PALMER and Sir ROBERT COLLIER.

Bill *presented,* and read the first time. [Bill 8.]

TURNPIKE TRUSTS BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to alter and amend the Laws relating to Turnpike Trusts, *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN, Mr. GEORGE CLIVE, Mr. GOLDNEY, and Mr. AYRTON.

Bill *presented,* and read the first time. [Bill 9.]

RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION) BILL.

On Motion of Mr. HENRY B. SHERIDAN, Bill to compel Railway Companies to establish some means of Communication between Guards and Passengers, *ordered* to be brought in by Mr. HENRY B. SHERIDAN and Sir PATRICK O'BRIEN.

House adjourned at One o'clock.

HOUSE OF COMMONS,

Wednesday, November 27, 1867.

MINUTES.]—SUPPLY—*considered in Committee —Resolution* [November 25] *reported.*

PUBLIC BILLS—*Ordered*—Church Rates Commutation *; Mines Assessment.*

First Reading—Church Rates Commutation *; [10]; Mines Assessment * [11].

Second Reading—Libel [3], *deferred.*

Third Reading—Drainage and Improvement of Lands (Ireland) Supplemental * [4], and *passed.*

LIBEL BILL—[BILL 3.]

(*Sir Colman O'Loghlen, Mr. Baines*)

SECOND READING.

Order for Second Reading read.

SIR COLMAN O'LOGHLEN, in moving that the Bill be now read the second time, said, that it was, with one exception, identical with the Bill which had been introduced and fully discussed last Session. That Bill was introduced on the 8th of February, and read a second time on the 13th of March. On the suggestion of the right hon. Member for the University of Cambridge (Mr. Walpole), it was referred to a Select Committee, which Committee included in its Members some of the most eminent and experienced men in that House. The Select Committee carefully considered and discussed the Bill; and, after making various Amendments in it, reported it to the House on the 8th of April. On the 25th of June—nearly two months after the Bill came down—it was discussed in Committee of the House, and passed through Committee; but, as it was found impossible to take the third reading till the 7th of August, sufficient time was not left to get the measure through the House of Lords. On the Motion for the third reading his hon. and learned Friend the Member for the Tower Hamlets (Mr. Ayrton) moved an Amendment, but the third reading was carried by a majority of more than 4 to 1—the numbers being 79 to 18. As it was understood that no measure which was likely to raise a discussion of a contentious character should be brought forward before the time of the regular meeting of Parliament, he should not have brought forward this Bill before Christmas if he had supposed that it would be opposed on the second reading. The hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) had, however, given notice of an Amendment to postpone the second reading for a fortnight. This Amendment he hoped would not be agreed to. The Bill was an important one, and as it was substantially the same as the measure which had been passed by that House last Session, he was anxious that it should be advanced a stage now in this House in order that it might be sent up to the House of Lords, in time to give their Lordships ample opportunity for considering it. What he proposed was that the House should now affirm the principle of the Bill by assenting to the second reading, and he would not take the Committee until after the Recess. Last Session it was urged by the hon. and learned Member for the Tower Hamlets, that the Bill was a "Press" Bill, and that as such hon. Members were afraid to oppose it. Now, of the sixteen clauses contained in the Bill, three or four only referred specially to the Press, and the remaining clauses referred generally to the law of libel. He had introduced the Bill on his own responsibility, and without the slightest communication from any one connected with the Press; but he was happy to say that, after it was introduced, it received the approbation of the Press of all shades of political opinion. The Provincial Newspaper Press Society, which numbered 160 different newspaper proprietors, had passed an unanimous resolution in favour of the Bill, and there had been between eighty and ninety Petitions presented to the House in its favour, and only two against it; and one of those was from a gentleman who was well known for his hostility to the publication of the reports of the proceedings in Parliament. The Press provisions of the Bill had for their object to extend to the publication of true and fair reports of lawfully convened public meetings assembled for a lawful purpose the same protection as was conceded to the publication of reports of proceedings in Courts of Law. He admitted that the clause involved a serious principle; but as no one would ask to have the privilege withdrawn from our Courts of Justice, he could not see that any bad result would follow from the application of the principle to lawfully-constituted public meetings, many of which were connected with the imposition of local taxation, and others had reference to joint-stock and other companies. With regard to the publication of the proceedings in Courts of Justice, it might be said that persons could not there be libelled with impunity; but all knew that this was not the case, and that in Courts of Justice it frequently happened that charges were made against persons who had no opportunity of answering them. Yet no one had ever urged this as an argument for withdrawing protection from the publication of those reports; and in like manner ingenious Gentlemen, like the hon. and learned Member for the Tower Hamlets, might bring forward cases that might go to show that the publication of reports of speeches delivered at public meetings might have a very prejudicial effect; but when hon. Members considered the balance of convenience, they would be found to be greatly in favour of the proposed change. It was most important for the public interest that the reports of many meetings should be published, and the Press indemnified against the proceedings of malicious persons. According to Mr. Evelyn's recently published pamphlet, the Press occupied a most anomalous position, they were liable to be sued by persons who had no cause of action whatever, but simply to gratify a malignant desire to put the proprietors to the expense of costs. In the well-known case of "Davidson *v.* Duncan," which was an action against the *Durham County Advertiser* for a report of the proceedings of the West Hartlepool Improvement Commission, although the plaintiff recovered only one farthing damages, the defendant was put to £400 costs. The "Press" clauses of the Bill were very fully and carefully considered by the Select Committee last year, and although they might be amended in Committee, he doubted if they could be improved. The

Bill as it stood would protect a proprietor of a newspaper against proceedings for the publication of a fair report; but there was a clause providing that if a newspaper should refuse to publish a reply to any libel contained in its report of a meeting, the publisher should be liable to an action in the same manner as if he had published an unfair report. The clause rendering the speaker liable for what he uttered at a public meeting underwent considerable discussion in the Select Committee. In the original Bill it had been proposed that the distinction which at present existed between libel and slander should be abolished, and that a person who deliberately made a false statement at a public meeting for the purpose of its being published should be liable for an action for libel as if he had written it. That was the opinion of the late Lord Lyndhurst, and in that opinion he (Sir Colman O'Loghlen) cordially agreed. But the Committee did not agree in this, and the Bill now only provided that the speaker of defamatory matter not amounting to slander might be sued if he did not apologise in the same Paper in which the report was given. This clause was framed by the present Attorney General, and was accepted as a compromise by the Committee upstairs. The 5th clause was a new one, and by it he proposed to protect the publication of the reports of proceedings in Parliament, and when in Committee he should be prepared to defend the clause. The remaining clauses it was not necessary then to mention. The present state of the libel law in respect to costs was very unsatisfactory. In England, if a plaintiff recovered under 40*s*., he only got 40*s*. costs; while in Ireland, one farthing damages carried the whole of the costs. All such details, however, could be more properly discussed in Committee than now, if any objection were raised to these clauses. Then came three clauses making alterations in the criminal law of libel. At present any person who was libelled had three modes of procedure open to him. He might either bring his action, in which event both parties could be examined at the trial; he might, by leave of a Judge, file a criminal information in the Court of Queen's Bench, in which case he would be required to give security for costs; or he might, without any preliminary proceedings, send up a bill of indictment to the grand jury, and if he adopted the latter course he would be entirely exempted from all liability to pay costs, however unfounded and malicious the prosecution might prove to be, and at the same time he could shut the mouth of the defendant and prevent him from being examined. There were several other inconveniences connected with the proceeding by indictment. For example, the defendant had no means of compelling the prosecutor to go on, and it was most unfair also that the latter, standing in the place of the Crown, had the privilege of challenging jurors to any extent—a privilege which was denied to the defendant. The present Bill provided that no one should be at liberty to send up an indictment for libel without a previous preliminary examination before a magistrate, and that the defendant should not be committed for trial unless the plaintiff or prosecutor gave security for the payment of costs in the event of the defendant being acquitted or the proceedings abandoned. Other clauses provided that every case must be proceeded with within a year, and that both prosecutors and defendants should be competent to be examined as witnesses. It ought to be mentioned, however, that nothing in the Bill applied to libels which were published with a view to extort money. There were some other clauses relating to pleadings and bills of particulars which it was unnecessary to discuss on the present occasion, and he would therefore move that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Sir Colman O'Loghlen.*)

MR. NEWDEGATE said, there were many inconveniences inseparable from a short Session convened for a particular purpose, and he thought the House was bound to guard its proceedings from the danger of abuse to which it was rendered liable by an exceptional Session like the present. Parliament had been convened for the purpose of considering the conduct of Her Majesty's Government with respect to the Abyssinian expedition, and it seemed to be a general understanding that the House would not be sitting in a fortnight's time, although, for his own part, he must confess he was unaware of that fact when he gave notice of his intention to move to postpone for a fortnight the second reading of this Bill. He might remark that he never made a Motion without first ascertaining whether he was acting in accordance with the practice and the Standing Orders of the House, and he would now briefly narrate what had occurred with respect to this Bill during the present Session. On Friday night the hon. and learned Member for Clare obtained leave to introduce the Bill; but surely no one could have dreamt at that time that the hon. and learned Baronet intended to deprive the House of the period usually allowed them for examining the nature and effect of the measure. If he (Mr. Newdegate) had thought there had been any such intention, he should most certainly have raised an objection on the first reading of the Bill. Well, although he (Mr. Newdegate), on application to the Vote Office, obtained a copy of the Bill on Monday night, the Bill was not delivered and in the hands of Members until Tuesday morning, and yet the House was now asked to read it a second time. In other words, hon. Members had been allowed only about thirty hours to ascertain what were the contents of a Bill relating to a subject of great importance. The House ought not to sanction such unnecessary haste if it desired to maintain its high character as a deliberative assembly — for it should be remembered that hon. Members were bound not only to consider the Bill themselves, but also to communicate with their constituents on the subject. The Standing Orders wisely provided against the House being taken by surprise in this matter, and Lord Eversley, in his evidence before the Committee on Public Business some years ago, stated that in all the improvements made in the conduct of public business, the object had been to let the House understand exactly what they would have to discuss, to prevent surprises, and to give some certainty to their proceedings. He might also mention that a proposal had been made by the House of Lords that when Bills had been considered and passed through all their stages in the House of Commons, but had reached the House of Lords too late to be properly considered in the same Session, the House of Commons should at the commencement of the following Session send up such Bills at once to the Lords for their consideration. It was only proposed, however, that this should be done in pursuance of a formal Resolution of that House and on due notice being given; and yet the Committee to which the subject had been referred, and of which the late Sir James Graham was the Chairman, recommended that the proposal should not be adopted. But the hon. and learned Baronet (Sir Colman O'Loghlen) had not even attempted to proceed by Resolution, although he had endeavoured to obtain for an important measure an advantage which the Committee on Public Business refused to grant, even after the passing of a Resolution which would be the act of the whole House and not of any individual Member. The object was to prevent the Legislature being taken by surprise. In the case of the Bill before the House an attempt was made to take the House by surprise. The Motion for taking the second reading of this Bill, then, might be within the letter of the Standing Orders, but was distinctly opposed to the practice of the House; it was as distinctly opposed to the spirit of the Standing Orders. By the usual and approved practice of the House, a fortnight was allowed between the introduction of a Bill of importance and its second reading. Gradually, however, the House had been departing from the wise practice, according to which the principle of a Bill was discussed on the second reading, the new practice being to discuss principles in Committee, and he thought it time that a check should be interposed to the growing evil. Without going into the subject-matter of the Bill, and reserving to himself the right of expressing his dissent from many of the points mentioned by the hon. and learned Baronet, he contented himself with moving, by way of Amendment, that the second reading of the Bill be deferred for a fortnight.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day fortnight."—(*Mr. Newdegate.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR ROBERT COLLIER said, if the Bill had been confined to the clauses which gave extended liberty to the Press, he should have endeavoured to expedite it by every possible means. He entirely agreed with the object of the 1st clause, which was to protect newspaper reporters when they reported faithfully the proceedings at a public meeting. But the Bill appeared to contain other provisions which he deemed to be in the last degree objectionable. There was the provision tending to restrict freedom of discussion at public meetings. The 3rd clause provided for the first time that a man should be liable for what he spoke at public meetings to the same extent as if the words were written. He (Sir Robert Collier) held not only that there was a difference made by the law of this country, but that there was a fundamental distinction between words spoken and words written. Words written were taken by the law to express the deliberate conviction of the writer; words spoken had a different force attributed to them. Allowance was made for expressions used in the heat of debate. Besides, some men had not sufficient command of language to express their opinions with perfect clearness; and it was well known that a constant conflict of testimony was going on as to what words had really been spoken on a particular occasion. For these among other reasons he thought the law had wisely protected the privilege of speech, so far as a man did not impute to his neighbour an indictable offence, or something calculated to be injurious to him or his business. As for speeches calculated to bring men into contempt or ridicule, he had heard such, not only out of the House, but in the House; and a high authority among them had said that invective and sarcasm were the ornaments of debate, yet the object of invective and sarcasm was to hold their adversaries up to ridicule and contempt. Without, however, entering on this matter, he might say that because an essential part of the Bill tended to curtail the privilege of discussion in a manner injurious to the public interest, he thought it highly desirable that the principle of the Bill should be discussed in that House, and he advised the hon. and learned Baronet to concur in the Amendment of the hon. Member for North Warwickshire so far as not to press his Motion for the second reading.

SIR COLMAN O'LOGHLEN said, that after what had fallen from the two hon. Gentlemen he did not feel justified in pressing the second reading. If the hon. Member for North Warwickshire would withdraw his Amendment, he would then move that the second reading of the Bill be postponed until the 12th February.

Amendment and Motion, by leave, withdrawn; Second Reading *deferred* to *Wednesday*, 12th February.

SUPPLY.

Resolution *reported;*

"That a sum, not exceeding £2,000,000, be granted to Her Majesty, towards defraying the Expenses of the Expedition to Abyssinia, beyond the ordinary Grants for 1867-8."

Resolution *agreed to.*

CHURCH RATES COMMUTATION BILL.

On Motion of Mr. NEWDEGATE, Bill for the Commutation of Church Rates, *ordered* to be brought in by Mr. NEWDEGATE and Colonel STUART.

Bill *presented*, and read the first time. [Bill 10.]

MINES ASSESSMENT BILL.

On Motion of Mr. PERCY WYNDHAM, Bill to assess Mines to Local Rates, *ordered* to be brought in by Mr. PERCY WYNDHAM, Mr. CAVENDISH BENTINCK, and Mr. HENDERSON.

Bill *presented*, and read the first time. [Bill 11.]

House adjourned at a quarter
after One o'clock.

HOUSE OF LORDS,

Thursday, November 28, 1867.

MINUTES.]—PUBLIC BILL—*First Reading*—Drainage and Improvement of Lands (Ireland) Supplemental * (3).

TURKEY—INSURRECTION IN CRETE.

QUESTION.

VISCOUNT STRATFORD DE REDCLIFFE asked the noble Earl the First Lord of the Treasury, Whether he was prepared to lay on the Table the further Correspondence relating to the Cretan Insurrection which he promised at the end of last Session? He thought it very desirable that the papers should be produced as early as possible, because it appeared that the negotiations which had for some time been made to bring about a reconciliation between the Porte and its revolted subjects had failed, and that a correspondence of considerable importance with other Powers, which might lead to complications, had taken place.

THE EARL OF DERBY: Additional papers on this subject of Crete are now in preparation, and will be laid on the table of the House before the adjournment for the Christmas holydays.

UNION WORKHOUSES AND INFIRMARIES.

MOTION FOR PAPERS.

THE EARL OF DEVON rose to move that there be laid before this House Copy of a Letter dated 16th August, 1866, and addressed by the Poor Law Board to their Medical Officer, Dr. Edward Smith, instructing him to visit Five or Six Workhouses in each of the Poor Law Inspectors' Districts (not including the Metropolis), and to report upon the Sufficiency of the existing Arrangements for the Care and Treatment of the Sick Poor in such Workhouses; and also, Copy of the Report, with the Appendix, of Dr. Edward Smith, dated 15th of April, 1867. In moving for these Returns he had two objects to serve—the one to place the Special Reports upon forty-eight workhouses in various parts of England and Wales before their Lordships and the public; and the second, to give himself an opportunity of explaining—as he thought it was very necessary to do at this time—the duties and powers which belong to various parties who are connected in different ways with the management of workhouses and infirmaries. It was, of course, known to their Lordships that public attention had been of late very much directed to the condition of workhouses and infirmaries. Various gentlemen had paid voluntary visits to these institutions, and had published reports of their visits in the leading medical journals of the metropolis. He desired, in the first instance, to say that he did not for a moment intend to throw doubt upon the motives which actuated those gentlemen; and still less was he inclined to doubt the real benefit which would result to the workhouses from the inquiries which they had voluntarily and laboriously carried on. No Department ought to be superior to receiving useful information, from whatever quarter it might come; and he, for one, believed that a Department was under an obligation to those who brought before it a real grievance candidly, fairly, and temperately. It was with that view he looked upon the reports in the medical journals, from which, supplemented as it would be by the action of the Poor Law Board, he believed good would result. He could not forget that in the year 1865, gentlemen connected, he believed, with those journals, or perhaps with an Association working for a similar object, made very important investigations into the metropolitan workhouses, and in that respect acted, so to say, as pioneers to those measures of reform which subsequently, when based upon the recommendations of the Poor Law Inspectors, were matured and adopted in the Bill which received the sanction of the House in the last Session of Parliament. He thought it was important that their Lordships should have before them a statement of the organization which existed in the country for the general management of the workhouses and infirmaries. There are no less, in England and Wales, than 663 unions, including the metropolitan unions. Those unions, setting aside those in the metropolitan districts, were divided into eleven inspectorial districts, each placed under the management of one Inspector connected with the Poor Law Board. He was anxious to bear testimony to the ability, efficiency, and conscienciousness of the gentlemen who acted in the office of Inspectors. It was an office requiring a combination of qualities which was not easy to be met with. It required a knowledge of detail combined with a power and ability of taking and acting upon general views of public policy. It required a union of firmness and vigour, with temper and tact, which he again said could not always be met with. Speaking now, as he was justified in doing by considerable experience in the Department over which he had the honour to preside, he said conscientiously that the Department and the public were under great obligations to the gentlemen who so efficiently performed the duties of their situation. In each of the workhouses of the districts to which he had alluded there was an infirmary which was more or less adequate. It was right their Lordships should be aware that those infirmaries were originally intended for the accommodation of only those cases which arose within the workhouse; but they had now—certainly in the metropolis, and partly in some large towns—become rather places for the reception of those who would otherwise have been attended at their own houses, and they had ceased to have the character of infirmaries for indoor sick only. Thus it came to pass that many of our workhouses, which were originally intended by the framers of the Poor Law Amendment Act and the Legislature mainly to meet the claims of the able-bodied destitute for relief, had become, in many cases, little more than hospitals or infirmaries. It would be obvious at once to their Lordships that the buildings intended for the one purpose could only at considerable expense and some delay be adequately fitted to and adapted for the altered purposes which the changed circumstances required. The workhouses, with those infirmaries, were placed by the rules and regulations of the Poor Law Commissioners under the management of a Visiting Committee, who were appointed by the Guardians. The duty of the Visiting Committee was thus prescribed—

> "The Guardians shall appoint one or more Visiting Committees from their own body; and each of such Committees shall carefully examine the workhouse or workhouses of the Union once in every week at the least, inspect the last reports of the chaplain and medical officer, examine the stores, afford, so far as is practicable, to the inmates an opportunity of making any complaints, and investigate any complaints that may be made to them."

Having done all these things the instructions required that they should embody in writing for the information of the guardians, in answer to certain questions, such information as they had acquired. Again, it was the duty of the guardians to see that all cleanliness was observed, to remedy deficiencies in the building, to repair defects in drainage and ventilation, and to attend to other matters necessary for the health of the inmates. In addition to that security for the good management of the house, it was also required that the Inspector of the district should once in every half-year visit the workhouse, and on each occasion go into a detailed investigation of every point connected with the health of the inmates, and the cleanliness of the place, especially of the sick wards, and report the result to the Poor Law Board, besides entering the results of his inquiry in the Visitors' Book. Thus it was clear that if each performed his duty it would not be easy for any abuse to escape detection. But this organization he was bound to admit had in many instances broken down. It appeared that in many unions in the country in which the visits to be made by the Committee ought to have been weekly, were very scantily and carelessly performed, if performed at all. He knew himself instances in which the Visiting Committees allowed one or two months to pass over without discharging their duties; thus one very important security failed, and he therefore thought it almost imperative that increased power should be given to the Poor Law Board in this respect, and other measures taken for regular and periodical visits of the houses in case of the Visiting Committees neglecting their duties. At present the Poor Law Board had only the power of appointing a paid visitor if the Visiting Committee neglected their duty for a period of three months. He believed that the Poor Law Board ought to be enabled to exercise that power within a shorter period. The next point he wished to bring under their Lordships' notice was that respecting the power which the Poor Law Board possessed in the event of the guardians declining to remedy the defects thus brought under their notice. He bore willing testimony to the cordial and zealous co-operation of the guardians, in the great majority of cases, with the Poor Law Board in the administration of the law. The mere fact that though the Poor Law Board had no power to order the erection of workhouses, no less than £6,000,000 had been spent by the voluntary act of the guardians in endeavouring to carry out the law by the erection of workhouses since the Act had passed showed the willingness and readiness of the guardians to co-operate with the Board. But there were, unfortunately, remarkable instances of the contrary. He would not on this occasion mention any particular union; but he held in his hand a paper which showed that during no less a period than five years the Poor Law Board had been continually urging upon the guardians of a particular union the necessity of erecting a new workhouse, in place of one obviously inadequate to the wants of even the able-bodied, to say nothing of the sick. He had yesterday under his consideration papers which showed that in the case of another union a very reasonable and proper proposal had repeatedly been pressed upon the consideration of the guardians by the Inspector for the erection of new infirmary and new infection wards, but the subject was invariably adjourned by the guardians. Facts, indeed, continually arose showing how necessary it was that the Board should have more power over the guardians. It was quite true that under the old Poor Law the Board had power to order a certain expenditure for enlarging or improving workhouses; but the expenditure was not to exceed £50 for each parish—an amount which was obviously insufficient for the alterations which circumstances might occasionally demand. It was also true that a very beneficial Act was passed in 1866 under which the Board acquired power to expend, without the consent of the guardians, a sum equal to one-tenth of the average amount expended for the three years preceding. The Board, however, had only power to act in this way for the enlargement of the workhouse, and they could not order a single article of furniture—not even a wash-hand basin or a towel—or to compel the guardians to supply such, or even any medical appliances whatever. He thought that they must apply to the Legislature for further powers in this particular. With regard to the orders of the Board generally, it was right that their Lordships should be aware that the only mode in which these orders could be enforced was by a writ of *mandamus* issued by the Queen's Bench—a cumbrous operation, and one requiring time, and not at all applicable to cases where prompt and active interference was required. The fact, also, that, until a year or two ago, the Poor Law Board, unlike any other Department, occupied a position of comparative uncertainty—its existence being only renewed from time to time instead of being permanently secured—greatly militated against its utility and authority. It would, from these circumstances, be obvious that the chief power of the Board depended upon the exercise of its influence, its advice, and its moral suasion. Having thus stated the power, or rather the want of power, of the Poor Law Board, he would take the opportunity of showing what had been the course pursued during the last few years. Taking, for instance, the question which was now deservedly attracting great attention, that of nurses in workhouses—he found that as long ago as 1856, Mr. Bouverie, being then the head of the Poor Law Board, communications—in which he (the Earl of Devon) had some share—took place with various benevolent gentlemen, physicians, and others, on the subject of improvements in the nursing system in workhouses; and this ultimately led to a communication from the Board to their Inspectors, instructing them to urge upon the guardians the necessity of employing paid nurses, and of generally improving the system. This was followed in 1865 by a communication with a similar object, addressed to all the Boards of Guardians throughout the country. He now came to the time when, principally from the efforts of voluntary visitors, the state of workhouse infirmaries engaged the careful attention of the Poor Law Board. In consequence of that, his right hon. Friend (Mr. G. Hardy), in April, 1866, instructed Mr. Farnall and Dr. Edward Smith to make a careful inspection of the infirmary wards of the metropolitan workhouses, and to inquire into the existing arrangements for the care of the sick. Their attention was specially directed to the adequacy of the accommodation provided, and other matters affecting the treatment and care of the sick poor in those workhouses. A very valuable Report was made, and in the month of August it was followed up by another on Metropolitan Workhouses, containing additional particulars. About the same time Mr. Hardy appointed a Committee, composed of very eminent physicians, military and civil engineers, and other persons, with the special object of ascertaining what was the amount of cubic space that should be allowed to each patient. The Report of that Committee had been laid upon the table of their Lordships' House, and it contained very valuable information. The facts brought out by these inquiries led to the introduction of that very valuable Bill which had received the sanction of Parliament — the Metropolitan Poor Act of 1867 — which gave to the Poor Law Board largely increased powers in securing improvement in the condition of sick inmates of the metropolitan workhouses. It would be a matter of satisfaction to learn that arrangements under that Bill were progressing very satisfactorily, and he rejoiced to say that, in the very great majority of instances, the suggestions made by the Board had met with the ready concurrence of the guardians. Now as to the country districts. The Board in January, 1867, ordered their Inspectors to report as to the country districts; those Reports, necessarily very voluminous, contained very valuable information, and it became the duty of the Board to act upon them. There was also the Report for which he moved, made by Dr. Smith, as to certain selected workhouses; and this was made in consequence of instructions given to him in August, 1866. Such had been the sources of information possessed by the Poor Law Board in consequence of recent inquiries upon the subject. The course taken by the Board was this. Ordinarily, when the existence of any abuse had been reported, they communicated directly to the guardians, and requested that they would send any observations which they chose to submit; and they also directed an Inspector to make a personal inspection, and make a Report on anything complained of, and to try to get the guardians to remedy it. There had also been cases, such as that of Farnham, to which it seemed to the Poor Law Board that the ends of morality and humanity would not be satisfied without a more public inquiry—an inquiry conducted not by the Inspector for the district, but by an Inspector specially sent by the Board for that purpose, and accompanied by the Medical Officer of the Board. He had now placed before their Lordships, as clearly as he could, the powers, duties, and responsibilities of the different parties connected with the management of workhouses, and he had done so in the belief that if defects were brought forward, or abuses discovered, it was most important that their Lordships and the public should have an opportunity of knowing who, under certain circumstances, should justly be held responsible for their continuance. The Poor Law Board frankly accepted the responsibility and duty of making such administrative arrangements for the treatment of the sick poor under their charge as might be consistent with the best sanitary knowledge of the day, and most conducive to the proper curative treatment of the patients. The Board did not shrink in any way from any public remarks and comments that might be made on them—comments which, when temperately, calmly, judiciously and candidly made, were often very important auxiliaries in the performance of public duty. Having explained the powers of the Board, he would say that it might become necessary to apply in the next Session for increased powers in some respects; and if that were done, he felt confident that the Legislature would not refuse justly and reasonably to strengthen the hands of the Board.

Moved, That there be laid before this House,

Copy of a Letter, dated 16th August 1866, and addressed by the Poor Law Board to their Medical Officer, Dr. Edward Smith, instructing him to visit Five or Six Workhouses in each of the Poor Law Inspectors' Districts (not including the Metropolis), and to report upon the Sufficiency of the existing Arrangements for the Care and Treatment of the Sick Poor in such Workhouses: And also,

Copy of the Report of Dr. Edward Smith, dated 15th April 1867, and made in pursuance of the above-mentioned instructions, after visiting Forty-eight Workhouses situate in various Parts of England and Wales; together with the Appendix to such Report containing the Observations of Dr. Smith upon each of the Workhouses in question.—(*The Earl of Devon.*)

THE ARCHBISHOP OF YORK thanked the noble Earl (the Earl of Devon) for the statement he had made, and said that he thought that the Reports which he had moved for would no doubt prove very important documents. In the interesting remarks he had made, the noble Earl had not, however, informed their Lordships upon what principle the forty-eight unions had been selected, but no doubt he would kindly give them that information. Another point of great importance was that these Reports would be much more valuable if they had been submitted to the respective Boards of Guardians, and their opinion obtained as to any action to be taken thereon. As to the investigation that had taken place at Bedminster, it appeared that the official Report was not submitted to the Board of Guardians, and as soon as they obtained it through some other channel, Sir Arthur Elton, the chairman, pronounced the Report to be most meagre and unsatisfactory. It was no doubt desirable that the different Boards of Guardians should have seen the Reports so that Parliament might be made acquainted with their opinions, and might know whether they meant to take any action. He believed that a good deal of the dissension between the guardians and the Poor Law Board had arisen from the character of modern workhouses not being appreciated; these workhouses were really hospitals, but they had not been conducted according to the known principles of hospital management. The greater part of the inmates were necessarily persons requiring constant medical care, and the guardians were not accustomed to the management of patients who wanted such treatment. And, again, without desiring to cast any reflection upon the Inspectors appointed by the Poor Law Board, he must say that these gentlemen were not always qualified to appreciate the wants of hospital patients, and the principles which should govern a well-regulated hospital. Thus, according to the practice in the best hospitals, at least 1,000 cubic feet of air should be allowed for every sick person, and paid day and night nurses should be employed when required. What they were now about to receive was not a Report of Inspectors, but a Report of an Inspector of Inspectors; and therefore it would be interesting to compare the ordinary Reports of the Inspectors of these workhouses with the extraordinary Report now asked for by the noble Earl at the head of the Poor Law Board. It gave him great gratification to hear that a measure on this subject would be introduced during the present Session—and he had no doubt that every one who took an interest in the subject would look forward to that measure with the greatest interest and anxiety.

THE EARL OF CARNARVON said, that their Lordships had doubtless listened, as certainly he had, with great interest and satisfaction to the statement which had been made by the noble Earl at the head of the Poor Law Board. He agreed with the right rev. Prelate that it was worth the attention of the noble Earl to consider whether it would not be advisable to extend his Motion so that it should embrace the Reports of the Inspectors, to the production of which he could not see any possible objection. The noble Earl had gone into the question of the powers and authority with which the Poor Law Board was invested; and it was impossible to doubt, from what had fallen from him, that it was his deliberate conviction that those powers and that authority were not sufficient. If that opinion of the noble Earl were correct, and these powers were insufficient to carry out the ordinary requirements of decency and humanity, Parliament would not hesitate to grant such additional powers to the Board as would enable them to perform their duty to the satisfaction of the country. If the responsibility of supervising the workhouses was cast upon the Poor Law Board, it was only just that they should have sufficient power conferred upon them to enable them to discharge themselves of that responsibility. It would, of course, be premature to enter into a discussion of the reforms to which the noble Earl had referred, until after the production of the Report for which his noble Friend moved; but he could not help expressing his gratification at hearing the noble Earl's promise to give his full attention to this most important subject; and he hoped that the observations of the noble Earl were an earnest of really well-considered legislative action on the part of Her Majesty's Government. He used the phrase "well-considered," for no one could doubt for a moment that the work was one involving serious difficulties. Many, indeed, of the difficulties which last year had beset the reform of the metropolitan workhouses would have to be encountered in endeavouring to introduce reform into those of the provinces. It was absolutely necessary that there should be some classification of the inmates, for he believed it was the practice in many parts of the country to send persons to the workhouses as a preliminary step to sending them to the lunatic asylums, than which nothing could be more injurious, if not more fatal, to those who were mentally afflicted. It appeared from the last Report of the Poor Law Board that out of the 40,000 sick persons now maintained in various workhouses throughout the country, no less than 10,000 were said to belong to the insane, or partially insane classes. So, too, it would be necessary to inquire into the alleged inadequacy of the salaries and of the general powers of the medical officers of the workhouses. These were questions which had been taken into consideration in effecting a reform in the metropolitan workhouses, and they would be sure to arise in any attempt to reform the provincial institutions. On the other hand, some difficulties which existed with regard to the metropolitan workhouses, would not be felt in dealing with those in the provinces. Thus, in the provinces, land being often cheaper than in the metropolis, it would in many places be easy to secure large space and ventilation; and he also hoped that vested interests would prove less formidable in the provinces than they had done in the metropolis. Still, it must not be forgotten that the number of provincial workhouses was vastly greater than those which had been dealt with in the metropolis, and that therefore not only must the operations in dealing with the former be upon a much wider scale, but the expense involved would be far beyond that which had been incurred in improving the latter institutions. It had been stated that it would be impossible to find fit persons to undertake the supervision of the provincial workhouses; but if the right measures were adopted it would not be difficult to discover a sufficient number of well-qualified men in our country gentlemen, among whom there was an almost inexhaustible fund of experience and knowledge of local matters, and though it might be a task of greater difficulty, he did not despair of finding a sufficient supply of similar men in our provincial towns. In any steps that might be taken for the reform of these institutions he should also be glad to see the co-operation of private benevolence secured as far as possible—a co-operation which there was no real difficulty in regulating by, and subordinating to the necessary discipline of every hospital, and which experience had shown to be of the utmost service in those institutions. There was one point upon which the noble Earl had not touched, but which deserved the most careful consideration on his part. It had been clearly proved in the recent inquiries into the metropolitan workhouses that a certain combination of professional, technical, or, if they pleased, scientific knowledge was absolutely necessary in those who were intrusted with the inspecting and controlling of these institutions; and it was a matter for the serious consideration of the noble Earl how far he could extend to the provincial workhouses that scientific inspection which was already extended to the metropolitan district. No doubt, the inevitable result of such reforms upon the large scale now asked for must entail a considerable expense. The rates had been carried down almost as low as they could go—many of the payers of poor rates were, it was well known, but very little superior in condition to the recipients of parochial relief; and therefore it required great consideration and care lest while imposing fresh burdens on the rates upon the one hand they increased pauperism on the other. He must further confess he looked with great jealousy on any tendency to create large official establishments, apt to become unwieldy and unmanageable. He did not intend to criticize his noble Friend's administration at the Poor Law Board. A great deal of what his noble Friend had told them was urged in excuse of the course they had taken; but he must say that for many years past the conduct of that Board had been such as to appear, at all events to a general observer, dilatory, uncertain, irregular, and perhaps contradictory. They had recently witnessed a paralysis of all administrative action; they had seen in some of the most serious cases the spectacle of the central Board waiting for the action of the local Board, and the local Board waiting for the impulse which the central Board ought to have given; the result being that nothing was done. The Committee of the House of Commons which sat so long and published so many volumes upon this subject had reported in favour of strengthening the hands of the Poor Law Board. It was quite possible that that body should be strengthened; but he hoped when his noble Friend brought forward his Bill he would be able to show that they had made good use of all the power which Parliament had placed in their hands. Anxiously as he desired to see a great improvement, he was hardly so sanguine as to the result anticipated by the most rev. Prelate as to expect to see the workhouses throughout the country converted into first-rate model hospitals; but he did think it incumbent on Parliament, no matter at what expense or sacrifice, to save them at all events from the scandal of such cases as had recently come to light in two or three parts of the country, and to provide that, while an ample pressure or, even if they pleased, coercion was placed on the able-bodied paupers who would not work, a decent retreat should be afforded to the aged sick and infirm.

Lord HOUGHTON was very glad that the noble Earl had shown that this question of workhouse hospitals had engaged his attention, and was likely to form the subject of future legislation. It was entirely a new question, and altogether separate from the ordinary conditions under which the Poor Law had hitherto been conducted and the poor rates collected. Great care must be taken, for if changes were rashly and inconsiderately made the effect might be to produce something not unlike a demoralization which existed in the old time, when the poorhouse was a place of resort for all kinds of idleness and improvidence. He hoped the noble Earl in any new legislation would guard against this danger. But, besides the question of danger, there was also the question of justice to the ratepayers. The poor rate, as now collected, bore so hard and descended so low that in many cases there was very little difference between those who paid the rate and the recipients of relief. It appeared to him that when they introduced the question of large hospital accommodation in connection with these institutions, it might also be a question for consideration whether it might be advisable to place a portion of the charge on the county rate or the Consolidated Fund. He ventured to suggest to the noble Earl that it was a very serious question whether this question should not assume a totally different character. That involved a very serious question of public justice. He would ask those who brought prominently forward particular cases of harshness, whether it was not very probable that the condition of the paupers if left at home would have been at least as bad as it had been found in the workhouses. It was an extremely difficult question, for there were two parties to be considered, the pauper and the ratepayer, and he hoped the noble Earl who was so worthily intrusted with the administration of the Poor Law Department, would be enabled to assure them that the measure he contemplated would be at once just to the ratepayer and humane to the poor.

THE EARL OF DEVON said, in reply to the most rev. Prelate, that the Inspector of the district had visited the union more than once, and had brought the facts before the guardians previous to their being placed before the Poor Law Board. With respect to the Reports under Mr. Hardy's circular, he must consider whether it was desirable to lay them upon the table of the House, but his impression was that it might be advisable to do so. Perhaps his noble Friend would allow him a day or two to consider the matter. His noble Friend had referred to the question of the insane at present in workhouses, and to the practice of sending dangerous lunatics to workhouses for a short time previous to their being sent to the asylum. This was, of course, a very injurious practice, and wherever that system prevailed it was desirable that it should be checked. There was also another class of insane persons —those whom it was legal to detain in workhouses—who were not injurious to themselves or others. He believed it would be most desirable that that class should be withdrawn from the workhouses. His noble Friend had stated, and this was no doubt the fact in many cases, that the ratepayers themselves were little, if at all, raised, as to their pecuniary means, above the class whom they were called on to aid in supporting. He could only say that it would be the object of the Poor Law Board, in carrying out such improvements as may be necessary, to bear this in mind, and, as far as possible, to prevent or mitigate the pressure of unusual demands for rates, unless public considerations interfere.

Motion *agreed to.*

House adjourned at a quarter past Six o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, November 28, 1867.

MINUTES.]—WAYS AND MEANS—*considered in Committee*—Income Tax.

Resolution in Committee—£2,000,000, Consolidated Fund.

PUBLIC BILLS—*Ordered*—Grand Jury Cess (Ireland)*; Sale of Liquors on Sunday*; Compulsory Church Rates Abolition*; Bank Holidays.*

First Reading—Sale of Liquors on Sunday* [12]; Compulsory Church Rates Abolition* [13]; Grand Jury Cess (Ireland)* [14]; Bank Holidays* [15].

Second Reading—Sales of Reversions* [8].

Committee—Metropolitan Streets Act (1867) Amendment* [2].

Report—Metropolitan Streets Act (1867) Amendment [2].

SPAIN—DESTRUCTION OF THE "MERMAID."—QUESTION.

MR. HEADLAM said, he would beg to ask the Secretary of State for Foreign Affairs, Whether there has been any further Correspondence concerning the destruction of the *Mermaid*, and whether the Spanish Government propose to give any compensation to the owners of that vessel?

LORD STANLEY: Yes, Sir, some further Correspondence has taken place on the subject, and the Spanish Government, acting, I am bound to say, in a very fair and friendly spirit, have accepted the suggestion which I made to refer the matter to arbitration. The details have not been yet arranged, but the principle has been agreed upon.

TURKEY—ANNEXATION OF EPIRUS AND THESSALY TO GREECE.

QUESTION.

MR. BAILLIE COCHRANE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether his attention has been drawn to a letter in *The Times* of the 21st of September, in which it is stated that in 1862 Mr. Elliott was instructed to inform the Greek Government that England would see with pleasure the annexation of Epirus and Thessaly to Greece, as an earnest of peace and tranquillity in the East; whether there are any Papers in the Foreign Office to prove the accuracy of this statement; and, if so, whether the noble Lord will lay them upon the table?

LORD STANLEY: Sir, I have seen the letter referred to in the Question of my hon. Friend, and I may therefore state briefly what has occurred. In 1862, when the question of placing an English Prince on the Throne of Greece was much discussed at Athens, a diplomatist in the Turkish service expressed to one of our foreign Ministers his personal conviction that under certain circumstances the Porte would not object to the rectification of the Greek frontier to the advantage of Greece, though involving some sacrifice of Turkish territory. In December of that year, Mr. Elliott was sent on a mission to Athens, not with special reference to that communication, but being there he was instructed to make inquiries on the subject, and the result showed that the diplomatist in question had spoken solely on his own authority, expressing simply his private and personal opinion, and that the Turkish Government entertained a very great objection to any such cession of territory. On receiving that reply, Lord Russell refused to take any further notice of the communication, and nothing more has been done on the subject.

ARMY—PERTH BARRACKS.

QUESTION.

MR. BAYLEY POTTER said, he would beg to ask the Secretary of State for War, Whether it is a fact that the use of gas as a means of lighting has been discontinued at the Perth Barracks, and, if so, whether he has any objection to state the reasons for the change ; and whether he is aware that in consequence of the diminution of light resulting from the change many men who previously spent their spare time in reading and other amusements inside the barracks are now induced to frequent whisky-shops and other similar places which abound in Perth ?

SIR JOHN PAKINGTON: My attention, Sir, was called to this subject by the hon. Member for Perth (Mr. Kinnaird), and I am sorry to say it is a fact that the use of gas as a means of lighting has been discontinued at the Perth Barracks on account of the very high price asked for gas by the gas company of that town. For a considerable time gas was supplied to the barracks at 4*s.* 2*d.* per 1,000 cubic feet, but the price now asked is 6*s.* 8*d.*, in consequence, I am informed, of some rival companies having amalgamated. Now, the War Office has in no instance paid more than 5*s.* per 1,000 cubic feet, and that sum was offered to, but declined by, the company at Perth. We did not feel justified in paying the unusual price that was asked for supplying the soldiers with gas. With reference to the last part of the Question of the hon. Member, I am afraid that in the first instance some of the soldiers went out of the barracks for amusement in consequence of the change ; but I have done all in my power to check that evil. I have directed that there should be a good supply of fuel, and that in lieu of gas some other efficient mode of lighting the recreation-rooms should be resorted to.

MR. BRIGHT: I wish to ask the right hon. Baronet whether the charge made to the barracks is the same as in other large buildings at Perth ? I do not understand that the right hon. Gentleman would wish to insist on getting gas cheaper than other people. [" Order! "]

SIR JOHN PAKINGTON: I really have not made it my business to ascertain what is the price charged for gas to other establishments in the town. I have rather regarded it as a question whether we should be justified in paying a higher price at Perth than in any other part of the Kingdom.

RELATIONS WITH THE UNITED STATES.—QUESTION.

MR. WATKIN said, he would beg to ask the Secretary of State for Foreign Affairs, When he proposes to lay further Papers before the House in reference to the questions under discussion between the Government of Her Majesty and the Government of the United States ; and whether he proposes before the House adjourns to make any statement to the House as to the negotiations which have been in progress during his period in office ?

LORD STANLEY: I shall be quite ready to lay upon the table such Papers as there are before the adjournment. They are very brief. Indeed, they consist of only two despatches, and, as they will tell their own story, I do not see that there is any occasion for me to make any statement on the subject.

NAVY—SHEATHING IRON VESSELS.

QUESTION.

SIR GEORGE STUCLEY said, he would beg to ask the First Lord of the Admiralty, Whether the method of Sheathing Iron Vessels with Copper, invented by Captain Roux, and adopted in the French Naval Service, has been tested by the Naval authorities in England, and with what success ?

MR. CORRY said, that as far as the Admiralty had been informed the method invented by Captain Roux had not been applied to any iron armour-clad vessel of war in the French Navy. It had, however, been applied to a wooden armour-clad corvette, and the principle was well known to our professional architects. In their opinion our system was preferable to that of Captain Roux. He might add that the question of coppering iron vessels for some time engaged the constant attention of the Admiralty.

COMMERCIAL TREATY WITH PORTUGAL.—QUESTION.

Colonel BARTTELOT said, he would beg to ask the Secretary of State for Foreign Affairs, Whether a Treaty of Commerce has lately been concluded with the Kingdom of Portugal, by which the Wines of that country are to be admitted into Great Britain at a reduced Duty—if so, what was to be the rate of Duty, and at what date the new Duty will be levied?

Lord STANLEY: Sir, no such treaty has either been concluded or determined upon. Much correspondence has passed on the subject; but as yet the two Governments have not been able to come to an agreement.

SPIRIT, WINE, AND BEER LICENCES.

QUESTION.

Mr. PEASE said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of the Government during the present Session to introduce any Measure by which the granting of Licences for the sale of Spirits, Wine, and Beer shall be placed under the same jurisdiction?

Mr. GATHORNE HARDY: In consequence, Sir, of the great pressure of other business I have been unable to go as fully into this question as I could have wished to do before introducing a measure on the subject. I am therefore not in a position to say that any measure will be introduced; much less can I say that a measure will be introduced for placing under the same jurisdiction all the Licences referred to in the Question of the hon. Gentleman.

RATING OF CHARITABLE INSTITUTIONS.—QUESTION.

Mr. BAINES said, he wished to ask the Secretary to the Treasury, Whether the Government have taken into consideration the propriety of restoring to Charitable Institutions the exemption from rating which they formerly enjoyed, and when they will be able to announce their decision on the subject?

Mr. HUNT replied, that the matter referred to by the hon. Gentleman had been under the consideration of the Government, and they had come to the conclusion that they ought not to deal with it separately, but in connection with the whole subject of exemption from rates. The general question, however, was one of great difficulty, and all he could say at present was that the Government were anxiously addressing themselves to its consideration, though he was unable to announce their decision on the subject.

COAL FIELDS OF GREAT BRITAIN.

QUESTION.

Mr. HENDERSON said, he wished to ask the Secretary of State for the Home Department, If he is prepared to give the House any information as to the progress made by the Royal Commission appointed in June, 1866, to inquire into the probable duration of the Coal Fields of Great Britain, the waste in production and consumption, and other matters connected with the same; and, if he is able to state when the Commission will make a Report of its proceedings?

Mr. GATHORNE HARDY: In consequence, Sir, of the hon. Member's Question, I have directed a letter to be written to the Secretary of the Commission, and I understand that in all probability the Report will be presented in the course of the next year.

COUNTY GAOLS (IRELAND).

QUESTION.

Sir FREDERICK HEYGATE said, he wished to ask the Chief Secretary for Ireland, Whether he intends to bring in a Bill this Session to consolidate the Gaols in Ireland into districts, instead of having one for each county as at present; and when the promised revision of prison dietary in Ireland will take effect?

The Earl of MAYO, in reply, said, he hoped that he should be able soon after the Recess to introduce a measure dealing with the whole question of County Prisons in Ireland. With regard to the dietary of the county prisons, he might mention that soon after Parliament rose in August last, a Commission of experienced medical men was appointed to inquire into that subject. The Commission consisted of Dr. Stokes, one of the most eminent physicians in Ireland; Dr. Hill, one of the most experienced Poor Law Inspectors, and Dr. Burke, Superintendent of Medical Statistics in the Registrar General's Office. Those gentlemen had already made considerable progress in their inquiry, and had received replies in the great majority of cases to the elaborate queries addressed by them to the medical officers of the various gaols. They had likewise received Returns of the dietary of the unions in which the county gaols were situated, and also much valuable information respecting the dietary of the labouring classes, and the rate of wages. All this information had been carefully tabulated, and he trusted that the Commissioners would conclude their labours shortly after Christmas. As soon as their Report was received, he should be prepared to act upon it with the least possible delay.

REPORT OF COMMISSIONERS ON OATHS.

QUESTION.

MR. HADFIELD said, he would beg to ask the Secretary of State for the Home Department, Whether (referring to the Report of the Commissioners on Oaths) it is intended to bring in a Bill to render it unnecessary in future to impose any Oath except those which all persons may take conscientiously and without difficulty, and especially to abolish such Oaths as are now by Law imposed, and which, year after year, are dispensed with by an Indemnity Act?

MR. GATHORNE HARDY: Sir, as soon as I was in a position to do so I placed the matter in the hands of a draftsman, and instructed him to draw a Bill, having careful reference to the recommendations of the Commissioners. He has found the task a very arduous one, for it will require the repeal of nearly a hundred Acts; and, under the circumstances, my hon. Friend will hardly expect me to give at present a more specific answer to his question.

POSTAL COMMUNICATION WITH THE UNITED STATES—THE CUNARD CONTRACT.—QUESTION.

MR. GRAHAM said, he would beg to ask Mr. Chancellor of the Exchequer, What, if any, arrangement has been or is being made for the conveyance of the Mails between Great Britain and the United States of America after the termination, on Saturday, the 28th of December, of the present service, which has been so efficiently conducted? He would also beg to ask whether the Government will produce the Correspondence with Mr. Burns, of the Cunard Company, and another between the Postmaster General and the Treasury on the same subject?

MR. HUNT: Sir, it will be in the recollection of the House that an arrangement was come to by the late Government, and adopted by the present one, that at the expiration of the Cunard Contract tenders should be asked for by public advertisement. It was determined that there should be no regular system of subsidy for a term, but that shipowners should be asked to make offers for the conveyance of the mails on particular days of the week, and that they should receive the sea postage, leaving it to the Government of the United States to make a similar arrangement on their side. The answers received to our advertisement did not come up to our expectations. There was an offer from the North German Lloyds for Tuesday, one from the Messrs. Inman's for Thursday, one from the National Steamship Company for Friday, and one from the Hamburg American Steam Shipping Company for the same day; but there was no offer in the terms of our advertisement for that day on which the larger portion of our correspondence is in the habit of being sent—namely, Saturday, the mails of which leave Queenstown on Sunday. I should add that there was appended to our advertisement a note, stating that parties not wishing to tender in the form specified should be at liberty to tender in any form of their own. Accordingly, Messrs. Cunard wrote that they were unwilling to make an offer in the way that was asked, but that if the Postmaster General would consent they would propose a contract for a period on terms much lower than those on which they had hitherto performed the service. The Postmaster General having expressed his willingness to receive such an offer, they said they would enter into a contract terminable after ten years certain at one year's notice. It was for a fixed sum, and the contractors were to receive no sea postage, but the office was to receive the homeward sea postage from the American Government. An officer was at once sent to the United States to confer with the Government; and communications have been constantly going on upon the subject; but the information Her Majesty's Government have received from America renders it impossible for them to enter into the proposed arrangement. Under these circumstances, and seeing the great inconvenience to which the merchants would be put if, on the morning after the termination of the contract, they found they had no means of sending their letters on the day on which they prefer sending them, I have entered into personal communication with Mr. J. Burns, of the firm of Cunard. That gentleman has met us in what I must call a public spirit. He has expressed a wish to fall in with the views of the Government, and within the last few hours an arrangement has been concluded for continuing the present service for one year at a fixed sum. I will lay the whole of the Correspondence on the table, so as to put the House in possession of all the facts of the case.

IMPORTATION OF FOREIGN CATTLE.

QUESTION.

Mr. SELWIN-IBBETSON said, he wished to ask the Vice President of the Council, Whether it is his intention to bring in a Bill during the present Session to regulate the importation of Foreign Cattle, carrying out the statement made by the Lord President to a deputation from the Home Cattle Defence Association?

Lord ROBERT MONTAGU: Sir, the Lord President has given great attention to the clauses of this Bill, and it is his intention that the Bill shall be laid upon the table without delay, so that it may be in the hands of hon. Members, and the Committee to which it will be referred may be appointed before the adjournment.

ARMY—NON-PURCHASE CORPS—REPORT OF THE SELECT COMMITTEE.

QUESTION.

Mr. CHILDERS said, he would beg to ask the Secretary of State for War, Whether Her Majesty's Government have had under their consideration the recommendations of the Select Committee of last Session on Retirement from the Non-Purchase Corps?

Sir JOHN PAKINGTON said, in reply, that the Report to which the Question of the hon. Gentleman referred was a very important one, and the subject was one of considerable difficulty. He hoped therefore his hon. Friend would excuse him if he wished to postpone a statement as to the course the Government might take until the re-assembling of Parliament.

BANKRUPTCY LAW.—QUESTION.

Mr. GOSCHEN said, he wished to ask Mr. Attorney General, What are the intentions of Her Majesty's Government with regard to the introduction of a measure for amending the Law of Bankruptcy?

The ATTORNEY GENERAL said, it was the intention of the Government to introduce such a measure after the Recess.

ABYSSINIAN EXPEDITION—CONTRACT WITH MESSRS. WETHERELL.

MOTION FOR AN ADDRESS.

Captain VIVIAN said, he rose to move an Address for Copies of any Communications, with the dates, between the War Office and Messrs. Wetherell relative to their Contract for obtaining Mules in Spain for the Abyssinian Expedition, and of the Contract.

Sir JOHN PAKINGTON said, he had no objection to lay on the table the contract and the Correspondence at the proper time; but in the present state of the correspondence he hoped his hon. and gallant Friend would not press for them. The House was aware that a contract was entered into; but owing to circumstances connected with the manner in which the contract had been carried out, the Government found it necessary to send an officer to make an investigation. A Report had been received from him within the last three days, and that rendered further inquiry indispensable. When the investigation was completed he should have no objection to lay the correspondence and the contract on the table.

Motion, by leave, *withdrawn.*

Colonel SYKES said, he rose to ask a Question with reference to the routes proposed to be taken into the interior of Abyssinia, and whether information has been received that the King of Shoa has captured Magdala, the place where the prisoners were supposed to be confined?

Sir STAFFORD NORTHCOTE said, in reply, that he could not answer the Question so satisfactorily as he might have done had he received longer notice of it. He supposed the Question of the hon. and gallant Member referred to telegraphic information understood to have been lately received. The only telegram he (Sir Stafford Northcote) had seen was one received during the course of the debate on Tuesday night, and the principal portion of which was read to the House. One passage in it was not read because it seemed doubtful. It was to the effect that the ruler of Gobazye had joined with others and had taken Magdala, but it was added that the report was not credited. Under these circumstances, his noble Friend (Lord Stanley) thought it not right to read this part of the telegram. A similar message had since appeared in the newspapers. With regard to the other part of the Question of his hon. and gallant Friend, he had no telegraphic information upon the subject. He had several private letters from Colonel Merewether, who was making inquiries respecting all the passes in the neighbourhood of the spot selected for the landing. Some explorations had been more successful than others. One of the last letters mentioned that one of the last routes explored was found not to be available, not on account of the road itself being impracticable, but on account of the quality of the water. On the other hand, there were two routes he had every reason to suppose would be practicable. Colonel Merewether was making explorations every day, and reporting his progress. They were extremely well satisfied with the explorations he was conducting.

ARMY—CONVEYANCE OF TROOPS—WAR DEPARTMENT AND THE INDIA OFFICE.—QUESTION.

Mr. OTWAY said, he would beg to ask a Question of the Secretary of State for War, respecting the reported conveyance of a regiment past Plymouth to disembark at Portsmouth, and its re-conveyance by railway from Portsmouth to Plymouth; and to inquire whether this was due to any absence of proper arrangement between the War Department and the India Office?

Sir JOHN PAKINGTON was understood to say that the facts were quite true, but he was not prepared to admit that there was any want of proper arrangement. There was something about it he was not able to understand, and which required an explanation. Perhaps the Question ought rather to be addressed to the First Lord of the Admiralty than to himself. In all cases Indian transports landed at Portsmouth. He could not help thinking that some arrangement ought to exist by which such an occurrence as that referred to ought to be avoided.

Mr. CORRY: Perhaps, Sir, I may be allowed to refer, in connection with this subject, to the Report of a Committee of this House which sat in 1861. At their recommendation the question of the Indian transport service was referred to a Departmental Committee composed of officials belonging to the Admiralty, the War Office, and the India Office. In their recommendation I find the following paragraph:—

> "We recommend that the troop ship pier in Her Majesty's dockyard, Portsmouth, be the point of departure and arrival in this country, and it is believed that every facility exists at that port to insure despatch in the embarkation and disembarkation of troops, and in coaling and equipping the two ships."

One of the reasons for this recommendation was this—The Indian transport service is always conducted in the winter months, when westerly gales are very prevalent at Plymouth. In these gales it is difficult to move long ships from the Sound into Hamoaze without risk; and the consequence would be that if, at the time of arrival, these gales prevailed the troops would either be landed in steam tugs, perhaps in rainy weather, to the great inconvenience of officers and men, and of their wives and children, and possibly to the injury of their health, or else remain on board till the gale subsided. That would not only be most objectionable, but it might be fatal to the proper conduct of the service; because the time allowed between the arrival from Alexandria and the departure for Alexandria is so short that it is with the greatest difficulty that the dockyard at Portsmouth can effect the repairs which are always necessary on the return of the ships from so long a voyage. The result of putting into Plymouth might be entirely to dislocate the whole scheme of the Indian transport, and I am informed by the Director of Transports that if allowance had to be made for three or four days' delay at Plymouth it would be requisite to build a spare ship in order that the service might be carried on with the requisite punctuality. I need not say that it would be rather more expensive to build an additional ship than to pay for conveying the troops from Portsmouth to Plymouth.

Mr. CHILDERS said, he wished to know, whether it was the case that, although the troops were landed at Portsmouth last Friday or Saturday morning, their luggage was not conveyed to Plymouth till yesterday?

Sir LAWRENCE PALK said, he would beg to ask, why the 4th Hussars were lately sent from Exeter to Portsmouth?

SIR JOHN PAKINGTON said, he would answer these Questions to-morrow.

WAYS AND MEANS—THE ABYSSINIAN EXPEDITION—FINANCIAL STATEMENT AND RESOLUTION.

WAYS AND MEANS *considered* in Committee.

MR. HUNT: Sir, in the unavoidable absence of my right hon. Friend the Chancellor of the Exchequer, it devolves upon me to lay before the Committee the materials which are necessary for their consideration before they decide as to the sources whence the expenses of the Abyssinian expedition are to be provided. I cannot but regret on two grounds that upon me rests the performance of this duty—first, on account of the indisposition of my right hon. Friend — a regret which I am sure the Committee will share; and secondly, on account of the disadvantage at which the Committee will be placed through having this Financial Statement from me instead of from my right hon. Friend. The Committee, I am confident, will well understand, after witnessing the great sacrifices made by my right hon. Friend in attending here last week under the most trying circumstances, that it is only the physical impossibility of attending that causes his absence this evening. Under these circumstances, I think that I may reckon upon the kind indulgence of the Committee, and that, undertaking this task as I do at very short notice, they will pardon any shortcomings. The House having determined yesterday to agree with the Committee of Supply that £2,000,000 should be voted towards defraying the expenses of the Abyssinian expedition, the Committee are of course prepared for a proposition to provide for that expenditure. I believe, that occupying the position I do on the present occasion, the Committee will not expect me to go into general principles as to how military expenditure ought to be provided for. It would be easy to lay down general principles; but the application of those principles must vary according to the circumstances of the moment. Abandoning, however, the treatment of the question upon abstract considerations, and confining myself merely to the present emergency, I will state that the Government have no hesitation in saying that they do not propose to look beyond the resources of the year for meeting these £2,000,000. It was, of course, open to the Government to propose a loan—either for a long period or a short period—leaving it to be decided by the Committee of Ways and Means next year how the burden should be borne. The Government, however, think it is a more manly course to face our difficulties, and provide this year for the extra expenditure which the expedition will entail upon us during the year. That being the case, we have to consider how we can provide in 1867-8 for this sum of £2,000,000, which was of course not contemplated when the Chancellor of the Exchequer made his Financial Statement on the 4th of April. But before proceeding to inquire whether any additional source of income is required, it is desirable to check the Estimate laid before the Committee of last Session by my right hon. Friend. Unfortunately, I cannot lay before the House on this occasion so glowing a statement as it has been the happy lot of the right hon. Gentleman opposite (Mr. Gladstone) to make so frequently in reviewing the fiscal history of previous years. The Committee has been accustomed for many years past to hear, and to hear with great satisfaction, that the surplus estimated by the Chancellor of the Exchequer at the commencement of the financial year has been largely exceeded, and that the revenue has flowed into the Exchequer in a manner which has more than fulfilled his most sanguine expectations. That is not the case this year so far as present experience extends; nor has the Government reason to suppose that it will be the case at the end of the financial year. The causes are not far to seek. The monetary crisis of 1866 has certainly been felt in the Exchequer during the present year; and it will be evident that this is so when I say that the branch of revenue which is less favourable than in previous years is the Excise. The want of confidence in new enterprizes and the great financial depression have exercised an influence over the employment of labour in public works, and it is those who live by daily labour who chiefly contribute to this source of revenue by their consumption of malt liquor and ardent spirits. However, in spite of this, the Committee will learn with satisfaction that the surplus estimated by my right hon. Friend on the 4th of April is likely to be realized, or very nearly so. But, in stating this, I should add that the actual revenue received during the eight months does not lead us to suppose that the revenue will flow into the Exchequer exactly in the manner and from the sources that were anticipated. The Government expect there will be a falling-off in the Excise, in Income Tax, and in Miscellaneous Revenue; and, on the other hand, a gain upon Customs, Stamps, and the Post Office. Taking one head of revenue with another we anticipate, without additional taxation, very nearly the same amount of income as was estimated when the Financial Statement was made in April. On the other hand—of course, putting out of consideration for the present the Abyssinian expedition—we have been able to check the expenditure, which will be rather below the estimate. In round numbers we anticipate about £100,000 less of income and about the same saving of expenditure. The Committee may recollect that the surplus estimated on the 4th of July was £246,000; but in the course of the Session there were certain alterations in the Estimates, and the result at the end of the Session was that, making allowance for all the variations which took place—a diminution in some items and an increase in others—the estimated surplus was reduced to £205,000. Under these circumstances, I think that even my hon. and learned Friend the Member for Tiverton (Mr. Denman) will recognise the wisdom of continuing the attorney's certificate duty, and the House will feel a satisfaction in having followed the advice of those who, being responsible for the finances of the country, resisted the repeal of that tax. That being the case, I think, putting Abyssinia out of the question, we have some reason at this moment, as I have said, to expect a surplus—speaking in round numbers, for I do not pretend to go into particulars—of about £200,000 at the end of the year. Of course, that surplus will be available as far as it goes for the expenditure of £2,000,000, which has been voted for the Abyssinian expedition, leaving a sum of £1,800,000 to be provided in other ways. The Committee will, no doubt, be anxious to know in what way the Government propose to provide for that expenditure. Not to keep the Committee long in suspense, I will say that they propose to lay on an additional 1*d*. of income tax during this financial year. The Committee is, no doubt, aware that an additional 1*d*. on the year's assessment will bring in something under £1,500,000—or, to take a prudent estimate, about £1,450,000. But the Committee should bear in mind that, although an additional tax to that amount is put on, the whole sum of £1,450,000 will not come into the Exchequer within the present financial year. The sum which it is reckoned can be collected and paid in within this period is £840,000, leaving the balance to be brought to account after the close of this year. Therefore, all the Government has to depend upon this year towards the expenses of the war is the £200,000 surplus which I have named, and the £840,000 to be raised by means of the addition to the income tax—if the Committee assent to the proposal—which will leave £960,000 to be provided for in other ways. Well, the Chancellor of the Exchequer has, of course, given great consideration to the probable state of the balances at the close of the year. And here I may, perhaps, be permitted to refer to what the balances amounted to at the beginning of the year, and then to show how, if we take from them this sum of £960,000, our balances would stand at the close of the financial year. On the 1st of April, 1867, the balances were £7,294,000. Supposing the proposition which I now make on behalf of the Government to be assented to, the excess of expenditure over revenue—taking into account the cost of the Abyssinian expedition on the one side and the £840,000 of additional income tax on the other—will be £960,000. Then there is also an estimated excess of payments over receipts, other than revenue expenditure and receipts, of £684,000, making a total to be deducted from the balances of £1,640,000. Deducting this sum of £1,640,000 from £7,294,000, which we estimate we shall have as the amount of our balances on the 31st of March, 1868, there remains a sum of £5,654,000. This is, indeed, not a very strong balance. I will, however, call to the recollection of the Committee the state of the balances in some previous years. In 1862 the balance on the 31st of March was £5,289,000, and on the 31st of March, 1866, it was £5,851,000, which is within very little of the sum now proposed to be left as a balance. But then it should also be remembered that, though we shall leave the balance upon this estimate at £5,654,000, we shall have coming into the Exchequer after the close of this financial year on account of income tax levied in respect of the current year £610,000, and therefore the balance will be recouped to that extent out of the Ways and Means provided for this year. In referring to the state of the balances, I should have remarked that the Government are assuming that we shall renew the £1,700,000 Exchequer Bonds, which they took power to renew in the Budget of April. At present we have paid off £700,000 of these bonds, but we have made arrangements for the renewal of these bonds next month, and we contemplate the renewal of the remaining £1,000,000, which are payable next March. There is a sum of £672,000, which is available during the quarter, on account of Sinking Fund, and we have made use of that in repayment of temporary advances from the Bank. We intend to avail ourselves of similar resources next quarter, which will give a sum of £228,000. That sum is taken into account in estimating the balances which we anticipate. In considering whether we might safely leave that sum of £960,000, which I have before mentioned to be provided for out of the balances, we have taken the opinion of those most competent to advise us, and the Government have come to the conclusion that it will be perfectly safe to leave the balances in that state. It has been objected by some persons that the expenditure for this war ought not to be wholly provided for out of income tax, but that those who contributed to the public taxation otherwise ought to be made to bear their share. Supposing that objection to be made, I will reply that the balances in the Exchequer are made up of the general revenue of the country ; and therefore in that sense it may be said that the Government are providing for the war in a way which will throw the burden not only on the income taxpayer, but also on those who contribute to the other taxes of the State. I have endeavoured to be as concise as possible in my statement, and I now propose to put into the hands of the Chairman the Resolution which will lay an additional 1*d.* of income tax on the year 1867-8.

Motion made, and Question proposed,

That, towards raising the Supply granted to Her Majesty, in addition to the Rates and Duties granted by the Act passed in the 30th year of Her Majesty's reign, chapter 23, for one year, commencing on the 6th day of April, one thousand eight-hundred and sixty-seven, for and in respect of all property, profits, and gains mentioned and described as chargeable in the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on profits arising from property, professions, trades, and offices, there shall be charged, collected, and paid for and in respect of such property, profits, or gains, either by assessment or otherwise, the following additional Rates and Duties (that is to say): Upon any assessment made on the annual value or amount of any property, profits, or gains (except property, profits, and gains chargeable under Schedule (B),) the additional Rate or Duty of one penny for every twenty shillings of the annual value or amount of all such property, profits, and gains respectively ; and for and in respect of the occupation of lands, tenements, hereditaments, and heritages chargeable under Schedule (B), the additional Rate or Duty of one halfpenny in England, and of three-eighths of a penny in Scotland and Ireland respectively, for every twenty shillings of the annual value thereof; and such additional Rates and Duties respectively shall be collected and paid with, and over and above, the second moiety of the Duties assessed or charged for the said year : Provided always, That, where any dividends, interest, or other profits or gains becoming due or payable half-yearly are assessed or charged half-yearly with the Rate or Duty under the said Act of the thirtieth year of Her Majesty's reign, chapter 23, there shall be charged upon the first assessment or charge which shall be hereafter made on such dividends, interest, profits, and gains, the additional Rate or Duty of two pence for every twenty shillings of the half yearly amount thereof; and where any profits or gains becoming due or payable quarterly are assessed or charged quarterly with the Rate or Duty under the said Act, there shall be charged upon the first two quarterly assessments or charges respectively which shall be hereafter made on such last-mentioned profits and gains, the additional Rate or Duty of two pence for every twenty shillings of the quarterly amount of such last-mentioned profits and gains ; and the said additional Rates and Duties charged in such half-yearly and quarterly assessments respectively shall be collected and paid with and over and above the Rates and Duties assessed or charged therein respectively under the said Act.

Mr. GLADSTONE : I think, Sir, we all concur with the hon. Gentleman who has just sat down in lamenting the absence of the Chancellor of the Exchequer, on account of the annoyance it must cause him to be absolutely disqualified from performing one of his most appropriate and important duties ; but in every other respect I am sure we have no reason to complain of the manner in which the place of the right hon. Gentleman has been supplied. The hon. Gentleman opposite has given us a perfectly clear statement of the condition of things on which we are called upon to act. He has placed the House in a position to pass judgment upon it, and I must at once say that, as far as I am concerned, I propose to deviate from the ordinary rule observed on such occasions, because at this period of the year there would, I think, be a practical difficulty in inducing us to postpone our opinions. It is better, therefore, to say at once what we think on the subject. The usual rule in Committee of Ways and Means is that the House should adjourn its judgment, and not only does it do so, but it is the practice of hon. Members generally to refrain from delivering positive opinions. I have no doubt that it is the intention of the hon. Gentleman to allow the Resolution to stand over for a while before taking an absolute Vote upon it; but, inasmuch as, so far as I am concerned, I see no difficulty about the matter, I proceed to deliver an opinion. One word only about what the hon. Gentleman has said with respect to the state of the revenue and expenditure of the country. I do not now mean the amount which the expenditure has reached, or the addition made to it in the course of the year, because I do not think this a proper and convenient time for entering upon that matter. But, as respects the condition of the revenue itself, I am bound to say that though absolutely it is not a satisfactory condition, yet relatively to the circumstances we have been passing through it is better than we could at any former period have expected. I do not quite agree with the hon. Gentleman as to the cause of the present decline in the most important branches of the revenue. He attributes that decline to the financial crisis of last year; but obviously the effects of that crisis were most intense in the period which immediately followed it, and in that period we had not a bad, but on the whole a good revenue. I have no doubt that the circumstances, perfectly unavoidable, under which people have had to pay such very high prices for provisions, and especially the exceedingly elevated rates they have now to pay for bread, constitute the main cause why they are unable to expend the usual amount upon exciseable commodities. The contraction of employment which has taken place, as far as I have any means of estimating it, is a much smaller contraction than that which we had to encounter during what was called the cotton famine in Lancashire; yet, we being then happily favoured with moderate prices of provisions, especially of bread, the revenue continued to prosper. Looking, however, at facts as they are, my surprise, I confess, has only been that the decline in the revenue has not appeared sooner. It was quite evident on the 1st of October, when the quarter's revenue was announced, that a too sanguine view was taken of it by the public journals. It plainly marked a beginning of decline, and as such must be expected to be followed by other quarters exhibiting a decline more pronounced — because people naturally, before actually restricting their mode of subsistence, exhaust not only their actual means, but their credit likewise. The process is therefore a rather slow one, and the decline only makes its appearance some little time after the pressure which produces it. The principle adopted by the Government, as stated by the hon. Gentleman, involves, I think, more than is completely satisfied by the proposition he makes. I do not wish to hold him to the literal terms of his statement; but he said the Government had come to the conclusion that the burden which is to come upon the year should be met from the resources of the year exclusively. Now, that is a very good principle, and had we been at the commencement of the financial year, it would have been desirable to apply it without any mitigation or qualification. At a period, however, so late as this, when we are about to enter on the ninth month of the financial year, there is undoubtedly much difficulty in bringing the principle into application. Without looking, therefore, too rigidly at the terms of that statement, the question we have to consider is whether, upon the whole, the proposal of the Government is a judicious one. Now, I quite agree with the hon. Gentleman that it would have been most objectionable to provide for the expenditure now contemplated by a loan; but differing, perhaps, from some of my hon. Friends, I am of opinion that it would have been still more objectionable to postpone the provision to the Budget of next year. Of all financial errors there is none so seductive, none so plausible, and therefore none so dangerous, as making a short postponement of the provision for your expenditure. That course was adopted by the House in 1839. In that year, with a falling revenue, a large amount of a considerable branch of the revenue was more than hazarded—it was almost entirely surrendered—for a purpose perhaps the most beneficial ever contemplated in any of our administrative reforms, but under circumstances deplorably ill-adapted for a trial of the experiment. —I mean the Post Office revenue. The course taken was this—The House brought the penny postage into immediate operation, and it resolved that if a loss of revenue should accrue, which was certain to be the case, provision should be made for it the next year. I certainly feel greatly indebted to the Government for not having been induced to follow that most dangerous course. The consequence in that very case was that when the next year came the House found itself in still greater embarrassment, and it went stumbling on from 1839 to 1840, and from 1840 to 1841; the result being that in 1842 an income tax was imposed to remedy the mischief. Taking into account a surplus of unfortunately no more than £200,000, according to the estimate formed from the Appropriation Act of last Session, and the probable revenue for the year, the Government have now to provide for a deficiency of £1,800,000. To provide for that deficiency the hon. Gentleman proposes a measure which would furnish £1,450,000; but of that sum he can only get in hand £840,000 during the year, and he therefore proposes to go upon the balances for £960,000. In round numbers that is to say, one-half is to be provided for during the year by an additional tax, and one-half is to be provided by drawing upon the balances; the first half being followed, however, by a further grant of £610,000, which will only be receivable in the course of the next year. It is obviously an inconvenience, though an unavoidable one, that the income tax, effective as it is in every other respect, cannot be made to operate in the same manner as the Customs and Excise—namely, from the very day the House chooses to give them its authority. The inconvenience is considerably less now than it was formerly, in consequence of the changes made in the mode of collection and in the form of the law, but it remains, and must remain, inherent in the very nature of the tax. The Resolution proposed by the Secretary of the Treasury of a tax of an additional 1*d.* in the income tax for the year might, perhaps, for practical purposes be more simply described as an additional tax of 2*d.* for the last six months of the year. This proceeding is much analogous to that adopted in 1859. The Budget was then only submitted in July, when a large increase of expenditure had to be provided for, and when an addition of 2*d.* was made to the income tax for the year, or, in point of fact, an addition of 4*d.* for the half year. Considering the late period of the year we cannot expect a rigid application of the rule laid down by the hon. Gentleman, and I think the important thing is the immediate imposition of some tax, choosing, of course, the best for the purpose, and bringing it into operation as soon as our legislative machinery will allow. This has been done by the Government, and therefore I am not disposed to be over-critical upon any other point. I am bound also to say, without laying down any general rule, or dogmatizing upon the subject, that the Government in resorting to the income tax have made a judicious choice. With regard to the sum to be taken from the balances, I do not doubt that the estimated sum at which the balances will stand on the 1st of April will be quite sufficient to sustain the credit of the country. One disadvantage there undoubtedly is in reducing the balances at this period—namely, that we have a falling revenue, and I will not say we must expect, but depend upon it we must not be surprised, if the rate of decline in the revenue should undergo some aggravation. A reason, however, which has not been mentioned by the hon. Gentleman induces me to be better satisfied with that reduction than I should otherwise be. It is this—the balances have already been drawn upon during the year for the reduction of the Debt. I do not represent that as a reason why the balances should be further drawn upon; but the fact that in the operations of the year you have applied a considerable sum of money under the provisions of Acts of Parliament to the reduction of debt is a reason why, without committing any fault, you may make a call upon your resources, other than those of taxation, for a portion of this expenditure, keeping as you will within the amount actually expended in the reduction of Debt. I am not quite sure what that amount is, but I suppose somewhere about £1,000,000. [Mr. HUNT: £889,000.] £889,000; well, the sum you propose to take from the balances is £960,000, and that is so near that I think the proceeding is perfectly unobjectionable. The state of the case will therefore be this—undoubtedly, in principle, drafts from the balances ought to be regarded as equivalent in the main to the creation of debt, and therefore, putting the case at the worst, you are going to create a debt to the extent of £960,000; but you have reduced the Debt in the operations of this same year to nearly an equivalent amount. Setting one transaction against the other, you will not by the operations of the year, taken as a whole, make an addition to your Debt. If that be a correct statement of the case, I must own that it gives no just ground for complaint, and I do not know that the Government under the circumstances could have acted better or more prudently. No sound principle is violated, no practical risk is incurred, and I believe the good sense of the public will be infinitely better satisfied by meeting a manly demand for some immediate extension of taxation towards the expenses of this war than it would have been if the Government had unfortunately been induced to resort to any expedient less direct and less calculated in the end to maintain the strength of the credit and resources of the country.

Sir GEORGE BOWYER said, he had to remind the Committee that last year there was a surplus of £800,000, and the Government might have reduced taxation to that amount, or kept that surplus for any contingency that might arise, and which had actually occurred. But the Government took a third course. The Chancellor of the Exchequer, taking a leaf out of his predecessor's book, threw away that surplus for the sake of effecting a trifling and prospective reduction of the National Debt. Several hon. Members, and himself among the number, urged that this was, in effect, a proposal to revive that objectionable scheme, a sinking fund. They contended that when the right hon. Gentleman had money in hand for which he had no other use, it might properly be applied to the reduction of the Debt. He argued that the plan of the Government was worse than the old sinking fund, because that might have been given up at any moment, whereas their present plan could lead to nothing. He warned the House that perhaps next year we might have a war, and he asked why the balance should not be allowed to remain for future years in case the Government wanted the money. The Chancellor of the Exchequer could not be brought to agree to this view; but what had occurred showed that he and others were not far wrong. The Government irretrievably gave away that surplus, and now proposed to raise between £800,000 and £900,000 by an addition to the Income Tax of the present year. He maintained that this was a very objectionable thing, and more so now than it would have been some years ago, because the country had gone through a period of financial distress which was not yet over. The falling off of the Excise and Income Tax showed the distress that now weighed upon large classes of the community, and it was infinitely to be lamented that the Government should think it necessary at such a moment to increase the Income Tax. The falling off of that tax showed that it was already higher than the present condition of the country justified. He did not know whether there was any remedy for the mistake that had been made, and whether there was any possibility of making use of that surplus revenue of £800,000 appropriated by Act of Parliament for the reduction of the National Debt. Whether that Act could now be conveniently repealed he would not undertake to say; but he must express his deep regret that the Chancellor of the Exchequer had upon this subject adopted the policy of his predecessor, and that he had disposed, perhaps irretrievably, of a surplus which he now required for the service of the country, and for want of which he was compelled to add to a tax already sufficiently vexatious and burdensome to large classes in this country.

Mr. LAING said, that the question before the Committee was very simple, and there was no reason why hon. Members should not at once express an opinion and decide upon it. The practical question at the present moment was whether there was to be an addition to the Income Tax of 1*d.* or 2*d.* in the pound in the present year. There was a deficiency of £1,800,000, and the alternative lay between throwing over the provision for this amount until next year's Budget, or meeting half the amount by an increase of 1*d.* in the Income Tax on the present year as proposed by the Government, or meeting the whole by an addition of 2*d.* to the Income Tax. He agreed in the general principle that it was desirable in a matter of this kind to meet the expenditure of the year by the revenue of the year; but upon the whole, and under the circumstances, he was satisfied to accept the proposal of the Government. It was evident that if the war were to continue, the Chancellor of the Exchequer might be driven to the necessity of increasing the Income Tax by 2*d.* in the pound, if not more. In that case there would be a strong demand that the whole burden of the war should not fall upon the upper and middle classes, but that the rest of the community should contribute towards it by increased indirect taxation. It was desirable to postpone this alternative as long as possible, because it was highly inexpedient to make slight and temporary additions to the indirect taxation of the country. In dealing with articles like tea and sugar it was very undesirable that they should not be affected by frequent and slight alterations. That question of an increase of indirect taxation was not yet ripe for discussion, and the point to be decided was whether the deficiency should be raised by an additional 1*d.* or 2*d.* of Income Tax. If the Government had decided to raise the Income Tax by 2*d.* in the pound, he, for one, would not have objected; but he could appreciate the reasons why, in the present state of the money-market, the Government had decided to draw for half the deficiency upon the balances of the year. Still the practice of drawing in such cases upon the balances ought not to pass as a matter of course, or to be resorted to on all occasions. As a general rule, it was not well to draw these balances too fine. When the amount in the Bank of England was at all limited, if the Government ran their balances too low they deprived the Bank of England of the power of meeting the legitimate demands of the commerce of the country. There was danger in so doing of bringing on a financial crisis, which could not fail to affect the revenue, and make the Exchequer lose ten times more than the amount saved. Each case must, however, be judged on its own merits, and looking to the present state of the money-market and the Bank of England returns, he did not think there would be any chance of inconvenience in allowing the balances to go below what would be a desirable point in ordinary times until April next. There was, he thought, great force in the objection of the hon. Baronet (Sir George Bowyer) as to the application of these balances to the reduction of the National Debt. He had strenuously opposed the measure of last Session on this subject; but at the time he was far from contemplating such an illustration of the disadvantages arising from the adoption of that course. Taking things as he found them, however, he was satisfied with the proposal of the Government. It was a temporary measure which would stop the gap to a reasonable extent. He feared, however, that the House would be called upon to apply itself to the consideration of a much larger financial question on the introduction of the next Budget next April.

Mr. WHITE was sorry to disturb the unanimity which appeared to prevail on both sides of the table, but he felt bound to enter his protest against any augmentation of taxation. The country was not prepared for more taxation, but expected more economy. Hon. Members seemed wholly to have forgotten the magnitude of our present expenditure. We were now defraying a war expenditure in time of peace. Were hon. Members aware that the Government were now expending £18,000,000 more than in 1850? and that the sum of £2,000,000 now asked for was not quite 5 per cent on the amount of this year's Estimates? After the enormous Votes in Supply last Session, it struck him as positively humiliating that on an emergency like this the Chancellor of the Exchequer should have to cast about for "ways and means," and be, at last, driven to appeal to Parliament, at this unusual season, to enact increased taxation to carry him on to the close of the financial year. The normal Exchequer balances with the Bank of England and the Bank of Ireland ought to be kept up to such a figure as should amply suffice, till the ordinary time for the meeting of Parliament, for any unexpected demand like this for the Abyssinian expedition. For, as a witty French politician recently remarked, nothing now-a-days was so certain to be expected as the unexpected —*l'imprévu.* The Votes in Supply were now £18,000,000 more than they were in 1850. Last year the Votes in Supply amounted to £42,874,887, or £2,000,000 more than they were in the year preceding. In 1850 the actual amount of the Estimates was £20,081,609, but if to the latter amount he added the cost of revenue collection, which in 1850 was not included in the Estimates, they would have a sum of £24,000,000 to compare with the £42,874,887 voted last Session. This amount was wholly made up of the Optional expenditure, or expenses under the control of the House, as distinguished from the charges for the National Debt and the charges on the Consolidated Fund. He ventured to think that if the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) looked into the matter, he would find that the national expenditure had increased in a much greater ratio than the national wealth. How much of this frightful prodigality was due to the House he would leave it to the country to decide. In 1850 the Votes for the army and navy were £15,700,000, in the present year they amounted to £26,200,000. If from the latter he deducted £1,000,000 for the re-payments made by the Indian Government, the account would show a payment of £9,500,000 more for military and naval purposes in 1867 than was made in 1850, and the time and labour of 170,000 Volunteers to-boot. In 1850 the total expenditure was £49,882,322, or, including the collection of the revenue, the actual amount was £54,000,000. The Estimate of the total expenditure for 1867-8, irrespective of the Votes which the House were going to make for Abyssinia, was £68,134,000. But in 1850 the charges for the public Debt and on the Consolidated Fund were £30,600,000, while in 1867 they were only £27,900,000, or £2,700,000 less than in 1850. Indeed, but for the compulsory operation for the extinction of the Debt adopted last Session, and which was a sort of surreptitious sinking fund, the charge for the public Debt and the charges on the Consolidated Fund would in 1867 have been £3,500,000 less than they were in 1850; and therefore the latter amount is to be added to the extra expenditure which we are now incurring. He must be a bold man who would dare deny that the public expenditure of some years past had not been too rapid in its growth, and had not now become excessive. Can any reasonable person doubt that important reductions might be made in the national disbursements, without in the slightest degree impairing the efficiency of the public service? Alike consistent with our honour and our safety, it is incontestable that large retrenchments might yet be made. Allowing for the extra cost of re-constructing the fleet — for gunnery experiments and for gunnery failures—for the conversion of our small arms into breech-loaders—allowing liberally for improved arms and armaments, and also for the increased pay and augmented comforts of our soldiers and sailors, which no one begrudges: still, he ventured to think that a prudent and frugal administration could and should effect a saving of £2,000,000—the sum now required—not 5 per cent on the vast total voted for the Estimates of last Session—namely, £42,874,887. Excepting, perhaps, the Post Office, there was not one of the public Departments in which considerable reductions might not with advantage be made; but he regretted to think that neither the present Government nor the preceding one had adopted any general practical measure of public economy. In one of those admirable political *resumés* with which the Foreign Secretary occasionally favoured his constituents the noble Lord made some very excellent remarks on this subject. He would make a quotation from that speech, because it was one of the best ever delivered by the noble Lord, and had elicited a strong encomium from Mr. Cobden. It was spoken at King's Lynn on the 19th of October, 1864. Among other observations made by the noble Lord were these—

> "You will never again, I think, see the national accounts showing a figure on either side of less than £60,000,000; but there are certain items in which I believe reductions, and not inconsiderable reductions, can be made. I do not pretend to minute acquaintance with the working of the dockyards; but there is an extraordinary concurrence of testimony on the part of every person to whom I have spoken — and I have discussed the matter with engineers and sailors, and with others who ought to be acquainted with the subject again and again—there is, I say, an almost unanimity of testimony that the work there done, though it is good work when it is done, is costly in a very extraordinary degree. And that, I think, is only what might be expected in establishments of such vast magnitude. You cannot have the master's eye everywhere; you have nobody personally interested in enforcing a strict and minute economy; dockyard men have votes, and I am afraid there is a good deal of political jobbery remaining; and, apart from that, nothing leads to waste, even among perfectly honest men, more than the knowledge than your employer's purse is one that you cannot exhaust. Now, I fear our enormous wealth is making us rather too careless in these matters. I think also it is a question whether, in the utter uncertainty which at present exists as to the best ship and the best gun, we ought to go on building iron-clads at the present rate. On the whole, though I speak with diffidence, yet I believe that in a year or two we ought to be able to knock off from the Navy Estimates from £1,000,000 to £1,500,000, and that without doing any injury to the service."

The noble Lord said also that he held it as "certain that any economical reform of importance must take place in the naval and military departments;" yet the Estimates for those departments were now as they had been when that speech was made, £26,000,000. He quite concurred in the remarks made by the noble Lord opposite on the occasion to which he had referred, and hoped that the Government would maturely weigh and be guided by them now. We ought not, for instance, to have wars provoked and carried on at the Cape or in New Zealand for the benefit of the colonists, but paid for by England. No less a sum than £3,500,000 was annually paid out of the Imperial Treasury for purely colonial objects, and our relations with the West African Coast involved an expenditure of £1,000,000 per annum. The country earnestly desired the national expenditure to be diminished, and after the Recess he should certainly take the sense of the House as to the magnitude of our expenditure and its proper distribution. The Chancellor of the Exchequer had many times told the House that our national expenditure was contingent upon our foreign policy, and that if we had a meddling, muddling, and aggressive foreign policy we should be compelled to keep up what the right hon. Gentleman termed our "swollen and bloated armaments." Now it must be confessed that the noble Lord the Secretary for Foreign Affairs had consistently abjured any obtrusive policy, and he trusted, therefore, that we should now have its benefits in the shape of diminished expenditure. In the Speech from the Throne at the beginning of every Session, we had the stereotyped phrase declaring that the Estimates would be prepared with a due regard to economy, and he hoped the Government would, for the future, allow that phrase to become a truth. The right hon. Gentleman the Chancellor of the Exchequer, addressing the House on the 1st of August, 1862, had asserted that, "to hold aloof from a turbulent diplomacy, to lighten taxation, and frugally and wisely to administer the public treasury" was the duty of a Conservative Minister. Accepting that declaration, he now called upon a Conservative Ministry to act in accordance with it. The hon. Gentleman concluded by stating that he should not divide the Committee on the present occasion, though after the Recess he should take an early opportunity of bringing forward a Resolution condemnatory of the magnitude of our national expenditure, and expressing the urgent necessity which existed for its thorough revision and reduction.

Mr. THOMSON HANKEY said, he hardly expected that on such an occasion as this any hon. Member would have drawn a comparison between our present expenditure and that of previous years, because all the Committee had to decide was as to the best means of raising £2,000,000 which the House had already voted. He must say he dissented entirely from the opinion expressed by the hon. Member for Wick (Mr. Laing), that it was to be regretted that the Government had applied the usual sum during the past year towards the reduction of the National Debt. That application had been made in accordance with previous Acts of Parliament, over which the Government had no control. He (Mr. Hankey), on the contrary, rejoiced that it had been done, and he hoped that the House would never sanction a departure from the principle that the surplus of the income of the year should be applied to that purpose. He hardly understood one point in the statement which had been made by the Secretary to the Treasury. The Government now asked for a sum of £2,000,000 to be provided as far as possible out of the revenue previous to the 30th April; but the Chancellor of the Exchequer had stated that he anticipated an expenditure of £4,000,000 would be required, and another £2,000,000 would therefore have to be provided out of the accruing revenue of the year—a sum for which no provision was made. Under any circumstances a much larger amount than £2,000,000—the sum now asked for—would have to be paid, and the surplus over that sum would have to form an additional charge in the Estimates for next year. There was no provision, however, for that; and, as he understood it, there would be a large and serious deficiency in April next.

Lord STANLEY: I wish to say a few words in reply to the criticism of the hon. Gentleman who has just sat down. He tells us that we have expended, or are calculating upon expending, £4,000,000, while we are making provision for only £2,000,000. Well, my answer to that is, that so far as I understand the matter, we have not spent more than the £2,000,000 for which the provision is now proposed to be made; and with regard to the rest of the £4,000,000, it is totally uncertain whether we shall require it or not. My right hon. Friend the Chancellor of the Exchequer mentioned that as the sum which probably might be required if the expedition went on until a certain time. But we have nothing to assure us that the expedition will have to be continued until that period. It is quite possible that by the liberation of the captives the necessity for continuing the expedition may cease; and in that case the present provision may be sufficient, or very nearly sufficient, to meet the whole charge. I do not say that is a thing which you can at all calculate upon; but I do not think we ought to be called upon to make provision for an expenditure which may never be incurred. If the Abyssinian expedition becomes an Abyssinian war, further provision will have to be made for it at the future time when the regular Financial Statement for the year is usually brought forward. I entirely agree with what the hon. Member said as to the inexpediency of touching in any manner the provision, small as it is, for the diminution of the National Debt. I sincerely hope that, unless an exigency arises much graver than any which exists at the present time, we shall always look upon that fund as sacred. Nothing could justify interference with it except the most serious national emergency. I have listened attentively to the speech of the right hon. Member for South Lancashire, and no one could have listened to it without feeling that the right hon. Gentleman was actuated by an earnest desire, as far as his sense of public duty would allow him, to assist those who are charged with the executive functions of the State in performing the unpleasant duty of meeting a necessarily augmented expenditure by a temporary addition to the taxation of the country. And if I may judge not only by his speech but by the not less significant silence of others, by the general absence of criticism and of opposition in this Committee, I think we may assume that there is — I do not venture to say entire unanimity, but a practical agreement to accept the financial scheme which has been proposed by my right hon. Friend for the purpose of meeting this temporary difficulty. That being so, and circumstances rendering a long sitting at this time of the year inconvenient, I would venture to suggest for the consideration of the Committee whether it might not be the most convenient course to allow this Vote to be taken to-night. I am quite aware that this is a departure from the ordinary course of proceeding ; but then the present financial arrangement is entirely temporary in its character ; it is brought forward at an unusual time of the year, and, if it is unusual, as undoubtedly it is, to take a Vote of this kind on the night when it is proposed, it is not less unusual to see such a concurrence of opinion on the part of the Committee, and especially on the part of those Members who speak on the highest authority on financial matters, as has been shown this evening ; and that circumstance may sanction—I do not say that it involves —the slight departure which I have taken the liberty of suggesting from the customary practice. I would again remind the Committee that the whole question of our financial arrangements must be reviewed in March or April next, probably not more than four months from this date ; and I would also ask them to remember that even if this Vote should be taken to-night, there will be another opportunity of considering the subject on the Report.

Mr. DARBY GRIFFITH was of opinion that the speech just delivered by the noble Lord the Foreign Secretary was not marked by the same degree of sound sense and logic which usually characterized his remarks in that House. The noble Lord had given no satisfactory answer to the very just criticism of the hon. Member for Peterborough (Mr. Hankey), that though the Government contemplated an expenditure of £4,000,000 for the expedition, they were now providing for only half that outlay. The noble Lord must know that there was no solid ground for expecting King Theodore to surrender the captives without the use of actual force ; and therefore it behoved the Government and the Committee, as reasonable and practical men, now to take into view the whole estimated cost of the enterprize in which they were embarking, and not merely a part of it. But there was another point to which he was particularly anxious to advert. He hoped the Government would, in imposing the increased Income Tax, take into their consideration the expediency of relieving as far as possible from its operation small annuitants and those whose incomes ranged between £100 and £150 a year, because on persons of that class the charge bore very heavily.

Mr. GLADSTONE : I wish to say one word in answer to the appeal of the noble Lord. As far as I am concerned, I am prepared at once to agree to the proposal he has made. I think it very desirable that the understanding should be distinct, and I believe it is distinct ; but I will repeat it from this side of the House in order to obviate the possibility of any mistake. I understood the noble Lord to say that the passing of this Resolution would not be attempted if it were objected to from any part of the House. I also understand that this is a proposal which is not to be made a precedent for the transaction of the ordinary financial business of the year, and that it is merely adopted for the convenience of all the Members of the House. Under these circumstances, I have no opposition to offer to its adoption.

Question put, and *agreed to ;* Resolution to be reported *To-morrow.*

Resolved, That this House will immediately again resolve itself into the Committee of Ways and Means.

WAYS AND MEANS—*considered* in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty, the sum of Two Millions be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

EAST INDIA, TROOPS AND VESSELS (ABYSSINIAN EXPEDITION).

RESOLUTION.

East India, Troops and Vessels (Abyssinian Expedition) *considered* in Committee.

(In the Committee.)

SIR STAFFORD NORTHCOTE: Mr. Dodson—The Committee are aware that the Act which is commonly called the "Government of India Act," passed in 1858, contains a clause which, as it is very short, I shall read to the Committee—

> "Except for preventing or repelling actual invasion of Her Majesty's Indian possessions, or under other sudden and urgent necessity, the revenues of India shall not, without the consent of both Houses of Parliament, be applicable to defray the expenses of any military operation carried on beyond the external frontiers of such possessions by Her Majesty's forces charged upon such revenues."

Now, the object with which I rise to address the Committee is to submit to it a Resolution authorizing part of the revenues of India to be applied for the ordinary pay of troops chargeable on the Indian revenues, but about to be employed in the hostilities which are upon the point of commencing in Abyssinia. Of course, so far as that proposal goes, we are within the strict provisions of the Act—we intend to comply with its provisions by asking the assent of both Houses of Parliament to such an application of the revenues of India—but I am told that on a strict construction of the clause I have read, it may be contended that in the steps we have already taken we have, in fact, violated that Act. That is a question which has naturally engaged the attention of Government, and more especially the attention of those who are responsible for the proper administration of the revenues of India. It has formed the subject of several conversations, and, in some cases, of legal inquiry; and I am bound to say, wishing to be as frank as I can with the Committee, that although the question is by no means free from doubt, I am inclined to think, upon a very strict interpretation of the Act, it may be held that what we have done is outside the letter of the law. The point on which we are challenged, so far as I understand, is this—in the application of the revenues of India to the purposes of the Abyssinian expedition, as far as it has hitherto gone, we have been proceeding upon the view, not to their ultimate application without the consent of Parliament, but only to their advance for the purposes of an expedition, which advance will be repaid by subsequent payments from the Imperial revenue. I am inclined to think that the wording of the clause would, strictly speaking, prohibit that proceeding. My right hon. Friend the Member for South Lancashire (Mr. Gladstone) the other day, in taking notice of this point, said that such an advance would defeat the very intention for which the clause was passed. If that be so, I can only say we are extremely sorry if we have been led by circumstances into taking a course which is even upon the strictest construction apparently contrary to an Act of Parliament. In excuse of the Government I must plead that, from an examination of all that took place at the time that this clause was originally passed, and from an examination of what has taken place since that clause became law, we were undoubtedly led to believe that we were acting in conformity with the statute in what we did. At all events, we have this to say—although, perhaps, it is a poor excuse—that if we have violated the law, we are not the first who have done so, and that the violation of this Act in the first instance is chargeable upon our predecessors in office, and especially, if I may say so in good humour, upon my right hon. Friend the Member for South Lancashire, who was himself the author of the clause, and who was a leading Member of the Ministry which was the first, within eighteen months of its passing, to violate it.

I will briefly refer to the circumstances under which it was passed. In the first instance, when the Bill was passing through this House, a Motion was made by the right hon. Gentleman the Member for South Lancashire to insert in it a clause, the effect of which was this—that except for repelling actual invasion of our East Indian possessions, or other sudden and urgent necessity, Her Majesty's forces in the East Indies should not be employed in any military operation beyond the frontiers of Her Majesty's Indian possessions without the consent of Parliament. Standing thus, the clause would have rendered it impossible for any Government, without clearly violating the law, to have ordered any of Her Majesty's troops to go from India to any other place —such as Abyssinia—for any purpose of war, without the previous consent of Parliament. Upon that ground the clause was objected to by Lord Palmerston. A debate arose; a division was taken; and the clause was carried with a slight modification. In the course of the discussion, however, Mr. Wilson had proposed an Amendment, and that Amendment would have made the clause as nearly as possible what it now is. He proposed, instead of saying that Her Majesty's forces should not be employed, to say the revenues of India should not be applied to such a purpose without the consent of Parliament. This, he said, would leave the Prerogative of the Crown unimpaired ; it would be exactly analogous to withholding supplies to check military operations. My right hon. Friend (Mr. Gladstone) was willing to accept a slight verbal amendment proposed by the present Lord Cairns, but he did not think that the alteration suggested by Mr. Wilson was desirable. I can easily understand why the right hon. Gentleman was averse to the alteration, because he saw that it would make the clause of which he was the author much less effectual for the purpose which he at that time had in view. So the matter stood when the Bill left this House. When it reached the House of Lords the clause was struck out, and that now embodied in the Bill, and which I have just read to the Committee, was proposed by Lord Derby. In the course of his speech —it is so short that I might almost read it—Lord Derby clearly laid down what he considered to be the purport and object of the clause. The clause was inserted by the Lords, and when the Bill came back to this House it was unchallenged except as to a verbal matter, and was passed into law. I might found an argument upon the language employed by Lord Derby at the time he introduced the amended clause. I prefer to rest upon the authority of the action which was taken within a year and a half of the passing of the Bill by the Administration of Lord Palmerston, at the time of the third China war. I request the attention of the Committee to what was then done. The third China war was commenced in the month of September, 1859. Parliament was not then sitting. Expenditure was ordered and was commenced in India in the month of October, 1859. It was not until the 16th of March, 1860 — five months afterwards — that a Vote of credit was proposed in this House. It was a Vote of £850,000, to defray the charge as far as it could then be estimated. Upon that Motion a discussion was raised in this House. On the 17th of February, 1860, Sir Henry Willoughby, whom we all remember and respect, had asked the question, "Will there be any charge upon the Indian revenues ?" The question was answered by Mr. Sidney Herbert, the then Secretary for War, to the effect that "the immediate charge will fall on the East India revenues, but the Imperial Treasury will have to account to them at a subsequent period." This is precisely what we thought we were entitled to do. That we understood to be the spirit of the Act as it stood, and that we might be guided by the precedent which was set by our immediate predecessors, within a year and a half of the passing of the Act. We proposed precisely what they proposed—namely, that the charge should ultimately fall upon the Imperial revenue. ["Oh!"] Some hon. Member gives utterance to dissent. But I may be permitted to reiterate that I do not understand in what respect a distinction can be drawn between what we proposed to do and what they actually did ; if there be any it is on two points, and they are in our favour. In the first place, we called Parliament together within three months after we decided on our course of action, whereas our predecessors allowed the matter to rest for five months, until the usual time for the meeting of Parliament. Another point upon which we have rather the advantage is, that in the ultimate result they charged the revenues of India in respect of operations beyond the frontiers of India, but never from that day to this did they obtain any Resolution or Vote of Parliament authorizing that course of procedure ; and Parliament has not found fault with them. If therefore there is any distinction to be drawn between us, it is in our favour, whose conduct has to the full been as legal and justifiable as that of our predecessors. I have thought it right to say this because we should have been chargeable with negligence if we had overlooked so important a point as the question whether we were or were not in harmony with the provisions of an Act of Parliament. But, however important it may be that Parliament should lay down clearly beforehand what its views are upon matters of this sort, in point of fact, when the question ultimately comes before Parliament, we must be judged, not by the question whether we have kept within the literal terms of this or that provision, but by a much higher standard than that. It would be absurd in us if we had undertaken so grave a responsibility as that of plunging the country into what may be a serious war, to come here and claim exemption because we could prove by special pleading that we had just kept within the limits of the wording of an Act of Parliament. The Committee knows what the answer would be. Parliament would say, "We do not care for your special pleading; we disapprove of the course you have taken; we hold you responsible for that which you have done; and whether you are within the Act of Parliament or not, we shall censure you, and you must take the consequences of your act." On the other hand, if it should appear that we have consciously or unconsciously overstepped the limits of the words of an Act of Parliament, Parliament after all has it in its power to condone what we have done, if it is satisfied, upon our explanation of the circumstances, that we have acted in good faith, without any intention to commit a breach of the law, and that in what we have done we have acted for the public interests. Although, therefore, I have thought it right to compare our conduct with that of our predecessors, I have not done so for the purpose of resting our defence on any recrimination, or on any special pleading, but simply for the purpose of showing how we stand. In point of fact, we come before you pretty much in the same position as the Government of the day did ten years ago, when Parliament was last called together for a November Session on occasion of a financial emergency—the suspension of the Bank Charter Act. We have called Parliament together to state that, upon an emergency of a different character, we have taken a course which the Executive thought necessary, even if not within the strict letter of the law, with regard to the Abyssinian expedition. We come to tell you what we have done and what we propose to do, and to ask your assent and your condonation and support, if we have unwittingly offended against an Act of Parliament. I trust we shall receive the sanction of Parliament in making that appeal. My hon. Friend the Member for Devizes (Mr. Darby Griffith) the other evening drew attention to what he called a stretching of the Royal Prerogative, and desired that this should be limited. I quite admit that the Prerogative should be kept within due bounds; but in our jealousy of what we call "Prerogative," we should consider how far we run the risk of endangering the efficiency of the public service; for the cardinal consideration, as I think, by which we ought to be guided is this—what is the best and most effectual way of conducting the public service? As I ventured to say the other night, if the House of Commons intends to take on itself the responsibility of prescribing what the action of the Executive shall be—if it requires to be consulted and to give its sanction beforehand on all matters of importance, especially in relation to our foreign policy and to the question of peace or war, the House must be prepared for a considerable alteration in the system under which our Government is carried on. The House must be prepared to be in permanent Session, or, at all events, be ready at any moment to be called together, and we must alter the relations which now subsist between Parliament and the Ministers of the Crown. At present Ministers of the Crown are appointed by the Crown, but hold their offices by the pleasure and through the continued confidence of Parliament. Parliament intrusts them with liberty to act as they think best in those matters properly belonging to the Executive, subject to this understanding—that if Parliament subsequently disapproves their action, it visits them with its displeasure, and renders it necessary for them to resign their offices. This being the relationship existing between Ministers and the Crown, it is necessary that Ministers should be allowed to some extent to act on their own responsibility, and, instead of seeking to obtain the assent of Parliament upon imperfect representations, and at a time when it is impossible that such assent could be given with a full knowledge of all the circumstances, they must rather come forward at a later period and say manfully—"We have taken a definite course in this matter; we lay before you the grounds upon which we have acted; we trust you will support our action, and will leave the further conduct of this matter in our hands."

Sir, having said thus much, I will now address myself more immediately to the

Resolution I am about to submit to the Committee. I trust I may appeal to their indulgence if in doing so I may seem to offend in two particulars. In the first place, I shall have to include in my observations some topics which may appear to Members of this House not strictly relevant to the question before us, or which, at all events, are not very interesting to this assembly. But I am sure the Committee will do me the justice to remember that the matter on which I am speaking affects not only the British House of Commons, but the people of India, upon a matter deeply interesting to them, and that it is my duty in any observations I have to make to address myself as much to the people of India as to my more immediate audience. Upon another point I must also request the indulgence of the Committee. If, in what I say, I appear to speak rather much of my individual position as a Minister, they will do me the credit of believing that I do so not from any spirit of egotism, but because it is necessary for the argument which I have to submit that I should make it clearly understood what that position really is. Those who have cast even the most cursory glance over the blue book presented to Parliament will have perceived that the arrangements made for the conduct of this expedition have been in some respects peculiar; for, while it is intended that the great bulk of the expenditure should be borne by the Imperial Exchequer, the necessary arrangements were intrusted to the India Office—that is, to the Secretary of State for India. They were intrusted to me under circumstances which placed upon me a very heavy responsibility. The responsibility, of course, was shared with my Colleagues of having advised the commencement of this undertaking: but I had besides this peculiar responsibility cast upon me, of seeing that the management of the expedition was such as would best insure a prospect of success, and likewise such as to protect the purse of England against any unnecessary extravagance or waste. In addition to this, I had another responsibility weighing upon me, not as a Member of this House; but being Secretary of State for India, I felt under a deep responsibility to the people of India, being bound to see that their courage and their blood were not employed in an expedition which held out no prospects of success, and in which, in any event, they must undergo great sufferings, and in which possibly the very best interests of our Indian Empire might be jeopardised. I can assure the Committee that I felt it no slight responsibility which rested upon me, and that from the moment I undertook this task I have never known what it was to be free from anxiety. But, at the same time, I have been supported by many considerations, and I have met with much cordial assistance. I owe a deep debt of gratitude to my Colleagues for the kind and perfectly undeserved manner in which they have dealt with me throughout this matter. From those Departments with which I was more immediately brought into communication—from the Admiralty, the War Office, the Foreign Office, and the Treasury, and, I am bound to add, from the illustrious Duke at the Horse Guards—I have received the most cordial and friendly support throughout. I have also received support of a different but most valuable kind from the Members of the Indian Council and the Officers belonging to the Department. I remember that my noble Friend the Member for Stamford, speaking upon the Indian affairs, once talked of Councils as trammels to the competent, and screens to the incompetent.

VISCOUNT CRANBORNE: I should be sorry if those words were taken as applying to the Indian Council. I was speaking of Councils in India connected with the Governor General, which were under discussion at the time. I did not intend that expression to apply to the Council here.

SIR STAFFORD NORTHCOTE: I certainly should not have recalled that expression if I thought the noble Lord capable of applying the terms he used to the Indian Council. I know too well the feelings with which my noble Friend is regarded by the Members of that Council and the cordial relations which subsisted between them to suppose that he ever could have made such an observation intending it to apply to them. I quoted it for the purpose of venturing upon a definition of my own. Councils such as this I believe may well be described as eyes to the blind and feet to the lame. If I had not been able to consult such a body—if it had not been for the experience and assistance of such men as Sir Robert Vivian, Captain Eastwick, General Baker, and our excellent Military Secretary, General Pears, I believe it would have been absolutely impossible to carry on the arrangements for this expedition. I also had support from another quarter, and that was from the authorities in India itself. I was called upon, as I have stated, to take charge of the arrangements of the expedition, and I had specially to see that these were made as efficiently and as economically as possible. The duty which I was called upon to discharge was undertaken at a period when it seemed to be almost impossible with the greatest efforts to accomplish what was necessary within the time. I was therefore driven to the necessity of adopting a very peculiar arrangement with regard to the organization of the force in India. Under ordinary circumstances it would have been the duty of the Secretary of State for India to address himself on such a subject to the Government of India, which is responsible for the maintenance of the general peace of the country, and for the retention of a sufficient force within its borders, and to have left it to them to carry out whatever measures required to be undertaken. But time did not admit of any such step being taken; and we found it necessary to put the whole arrangement of the expedition into the hands of one of the subordinate Governments, that of Bombay, with whom it was possible to communicate most rapidly. From the moment that Sir Robert Napier was selected to command the expedition it became evident that the most convenient arrangement was to place in the hands of the Bombay Government, of which he was *ex officio* member, the entire organization of the force, subject to any objections which the Government of India might make.

And now I am coming to a point which will, perhaps, indicate to hon. Members why I have gone into these details. One of the most serious questions to be considered was, of course, the size of the force and the expense which must be incurred in providing for its equipment. Two courses were open to us. We might have decided upon employing a small force under an officer of comparatively subordinate rank, and we might have despatched it at a much smaller expenditure than that which will now be incurred. There were many considerations in favour of such a course; but, after full deliberation, and after hearing the opinions of others, I thought that such a course would involve much risk, and I did not feel warranted in sanctioning it. The other course was to appoint an officer of high rank, at the head of a large force; and it was obvious that there was no one who, not only from his personal character, but from his official position, was so well qualified for the command as Sir Robert Napier. He was at the base of operations; he was a Member of the Government which was to organize the expedition; and he was thus able to give every necessary direction. I therefore selected Sir Robert Napier; but in selecting him, I was conscious that I imposed upon this country a very considerable burden, because in so doing I practically settled the size of the force. This was not done without consideration. Military men of distinction said that in putting at the head of this expedition an officer of the high rank of Commander-in-Chief of one of our armies we were jeopardizing the national prestige. We felt therefore that we were bound to give him every possible support, and it was partly on this ground that we decided on sending the large force for which he asked. The point, of course, was settled not by myself, but by the Cabinet before it broke up. It was on the 14th of August that I mentioned to the Cabinet the substance of the Report in which Sir Robert Napier practically decided upon the size of the force. I regret extremely that in what I said the other night I should have fallen into a misapprehension as to our having had Sir Robert Napier's memorandum of the 23rd July before us when the Cabinet met on the 14th August. I regret it the more because the matter rested upon my personal assurance; the House, unless from an accident, would not have seen that I was wrong; and it might appear that I had intentionally misled them. The explanation of my error is this:—I was perfectly aware of Sir Robert Napier's general views. I had the telegram which gave the summary of his proposals on the 9th of August. I had a good many private letters and memoranda at that time, and I brought Sir Robert Napier's memorandum before the Cabinet at the time I received it. I was under the impression that this was on the 14th of August. The memorandum was dated Poonah, July 23; we had received letters of the date of the 26th, and I took it for granted that this memorandum had come by the same mail. In point of fact, it did not come till the following week; but we then had Sir Robert Napier's assurance that he was ready to undertake the expedition and on what scale, and the question of the force was practically settled by the Cabinet. From that moment we went on energetically. We have laid upon the table a blue book which has been characterized as a great mass of rubbish. I will not deny that it is capable of being described in that way; but I should like to explain how the book comes into that form. As matters went on, I thought it right to have all these things printed for the information of the different Departments concerned, and in preparing the blue book for Parliament we really took the papers which were already in print for departmental information. It did not seem worth while to cull out these different despatches, and I thought it just as well that the House should see the mode in which business is conducted, and in what way the expenditure was sanctioned throughout. The fact is that we have undertaken this expedition in a way which has thrown a very considerable burden upon the resources of this country, and it is fair to say that it has been partly owing to considerations of an Indian character that that burden has been made as large as it is. In the first place, the reason why I was pressing that the expedition should set out this year was that Sir John Lawrence represented to me that, although India was now in such a state that he could safely part with this force for a time, it was undesirable that such a force should be out of India for any long period, and he was anxious on all accounts to have the matter finished this season. Again, I was anxious to provide for the force in such a way that the comforts of the soldiers should be attended to, and all discontent prevented. It is a delicate matter to send the Natives of India upon foreign service unless you take care to make preparations suitable to their peculiar customs; it was necessary, therefore, to make our preparations on a scale which may perhaps seem needlessly expensive and luxurious. I was pleased to find throughout that I was supported in the most energetic way by the Government of India and by those on whom we had to rely there. In particular, I may mention that every possible assistance was rendered by Sir Seymour Fitzgerald, whose exertions in this matter have been beyond praise, and who has exerted himself to keep down expenditure in a way which, when the facts come to be known, will do him the highest honour. Among all ranks of the Indian army the greatest spirit and zeal have been shown, and there has been the utmost anxiety to take part in the dangers of the expedition, so that when volunteers were called for twice as many came forward as were wanted. Nor has this good feeling been confined to our own subjects. It has extended to the Native Princes and Chiefs in India; and I may mention, as an interesting proof of the sympathy shown by some of them with the object we have undertaken, that when it was thought desirable that a particular kind of pony should be obtained in Cutch and Kattiawar, and orders were given to purchase these animals, the Rao of Cutch came forward and sent us some hundreds as presents, the Chief of Bownuggur did the same, and the Chief of Joonaghur sent a quantity of hay and forage, which he thought might be useful in the expedition. I think this shows that when my hon. and gallant Friend the Member for Aberdeen (Colonel Sykes) spoke of the people of India as not being acquainted with the name and whereabouts of Abyssinia, he must have been referring to a time which has gone by, and which no longer represents the existing information among the people of India.

Well, now, we have incurred a charge which undoubtedly will be a very heavy one—not heavy in proportion to the great financial resources of the country, but sufficiently heavy to prove a sensible addition to the national burdens; and the question arises whether, in making provision to meet that burden, we are to undertake the whole of it as properly belonging to the people of England, or whether we are to ask for any contribution from the revenues of India? The answer which I hear given in many quarters is that it is very shabby to expect India to bear any portion of the expense. Now, when we talk of calling on the revenues of India, we must be careful to consider what we mean by that expression. It will be perceived by the blue book that from the first moment that this expedition was thought about, early in the month of April last year, in reply to communications addressed to the Secretary of State in Council, we stated that we were willing to place the resources of India at the disposal of the Home Government, but must stipulate that, as the matter was one in which Indian interests were not concerned, India should not bear any portion of the charge. At that time it was clearly understood, though we did not put that into the despatch to the Treasury, that, though we were determined to resist any attempt to charge the revenues of India with any new burden, we did not, to use a homely expression, want to "make money" by the transaction. What we meant was, that if India had a certain army paid out of its revenues and could spare a portion of that army for a limited period, but instead of lending any troops should hire them out, that would be making money by the transaction. I am far from saying that there are not cases in which it is perfectly legitimate for any country to make such a use of an army at its disposal, and for another country to hire its troops for purposes in which the hirer is exclusively interested. But I do not think that we could reasonably have applied that doctrine here. It is said—and we have said it ourselves—that India has no interest in this matter. That is perfectly true, if by "interest" you mean material interest. I think it may be doubted, indeed, whether, strictly speaking, England has any material interest to serve in making war in Abyssinia. It is easy to put cases in which it would be the height of shabbiness and injustice for us to employ Indian troops without paying every farthing of the charge. Suppose a European quarrel affecting the balance of power, or relating to the affairs of France, Italy, or Prussia; suppose we were defending an American colony, or a West Indian possession, or were attempting to acquire new territory in some distant quarter of the globe, and in any one of these cases Indian troops were likely to be of use, I should say that nothing could be more disgraceful than that this country should employ those troops without paying for them. But what is the occasion of this war? Some people say we are going to war, not only for prestige, but for prestige in India. I do not like the word "prestige;" and if I dislike it as applied to England, I dislike it still more as applied to India. It is more dangerous as applied to India than as applied to England. But there are principles which should be upheld in the interest of both countries even at the cost of blood and treasure, and one of them is this—that Envoys of the Sovereign of this country should always be under the protection of this country in the country to which they are accredited. That is a leading principle of International Law, and we should be untrue not only to ourselves but to the civilized world if we failed to uphold it. In the western world it is not probable that any necessity would arise for upholding the doctrine of the Envoy's inviolability by force; but when we deal with countries in a less advanced stage of civilization, it is necessary not only to promulgate the doctrine, but, if needful, to enforce it even by the edge of the sword. And if it be of importance to England that the sacredness of Envoys accredited to semi-barbarous countries should be insisted on, it is of much more importance to Her Majesty as Empress of India. Of persons accredited by this country to Courts unaccustomed to the usages of western Powers, by far the larger number go as Envoys of the Empire of India. The mere mention of a list of these places would be sufficient to show that India has a very keen interest in the protection of those who are sent to speak in her name. We may have Ambassadors, Envoys, or political agents at such Courts, perhaps, as Burmah, Nepaul, or Cashmere, and, approaching nearer the place to which our attention is particularly directed, we have agents at Zanzibar and Muscat; and we have a resident at Aden. In fact, Envoys or Agents, accredited by the Indian Government are scattered over all parts of the East. Now, do hon. Gentlemen really suppose that the people of India do not keep a sharp look out upon what is done with regard to these Envoys? Do they think it is matter of indifference in India when anything in the shape of a new appointment as British Envoy is made? If they do, I can assure them they are very much mistaken. Again, do they suppose that the people of India are indifferent to what is passing in the neighbourhood of the Red Sea? I have been very much astonished since I have been at the India Office to see how frequent and close are the communications between India and the eastern side of the Red Sea; and Indians are not indifferent to what is passing on the western side. The Mecca pilgrims, for instance, form a most important case in point. Hundreds and thousands of our subjects go to Mecca year by year, and on their way they gather reports of what is passing in the countries bordering on the Red Sea; if they hear anything affecting the character and conduct of England, they catch it up eagerly and spread it in India on their return, with plenty of exaggeration. Then there are the very numerous body of Indian traders with Massowah and other places in close connection with the spot at which the expedition has landed — there are traders who go there every year from Bombay. Do you suppose that they do not report what they hear and see of the Envoys of Her who is the Sovereign of India? As an illustration of the sort of interest taken by people of India in the politics of that part of the world, I may mention a very curious fact which came before me soon after I was appointed to the India Office. A request was made to the Government of Bombay by certain persons in the service of the Nizam of the Deccan to allow them to fit out an expedition to take part in some of the wars which were taking place on the coast of Arabia not very far from Aden, in which some of the relatives of these "Hubshees" were engaged; and they were actually anxious to fit out an expedition on behalf of these relatives. [Colonel SYKES: They were not Abyssinians.] I do not say they were; but I say the people of India have close relations with that part of the world in immediate connection with the Red Sea, and Abyssinians we must regard as connected with what is going on in the Red Sea. My argument is this:—Indians go to the Red Sea, and they return with their opinions of English power and the support she gives to her agents derived from what they see and hear on their journey. I ask the hon. and gallant Member whether he thinks it particularly desirable that these Hubshees of the Nizam, to whom I have referred, should go to the neighbourhood of Aden and return to India after a year or so and carry a report to the Nizam that the force of England was entirely expended, that her Envoys were languishing in prison, and that she was afraid to attempt to get them out? Putting it on the lowest ground, would it be economical that such an impression of England's strength or spirit should prevail in India? If you say it is the true policy of India to abstain from menace and from attempts to create a fictitious prestige for herself, support her in that policy by relieving her from everything in the nature of a reproach — everything which will make it difficult to follow that policy without being misunderstood. I say that at the present moment the policy of Sir John Lawrence, which has been characterized sometimes half sneeringly, I am afraid, as "a policy of masterly inactivity," is what we ought in every way to support and strengthen, and I can conceive of nothing more important to a Governor General who is anxious to carry out that policy than that it should be understood that he is actuated by a deliberate conviction, and not by any doubt as to his strength. I say therefore it is of the utmost importance that Sir John Lawrence's hands should be strengthened by unmistakable evidence that India has strength, and that the Government of England has force and determination to avenge insults and secure the liberties of her subjects. I say that from all these points of view it is preposterous to say that this is a matter with which India has as little concern as if the quarrel were going on in Australia or South America; you must, after all, come to the conclusion that this expedition is a necessity, because of the position and wants of your Indian Empire. If it were not for India it would be a matter for grave consideration whether the expedition was necessary at all, or, at all events, whether it was necessary just now. I do not say that it would not be necessary ultimately to act by force of arms, if we could obtain redress in no other way; but if we had only Western opinion to consider we should know that we were able to rely upon the perfect knowledge which Western nations have of our strength and resources, and should be less pressed than we are to act without delay. I may add, that it is with reference to the importance of making ample provision for the security of our Indian troops, that we have made our preparations on so large a scale. It has been our earnest desire to provide, as far as human foresight can provide, against disaster. We have therefore gone to an extra expense for precautions, which I trust experience will prove to be superfluous.

Before I conclude, I must refer to some precedents which I think bear upon the present case. There have been several cases in which Indian troops have been employed in expeditions entered on jointly by the Indian and English Governments. The first China war in 1839-40 was one. Upon that occasion the President of the Board of Control, Lord Broughton, assured the East India Company that it was not the intention of the Government that any part of the expenses of the expedition should be defrayed out of the Indian revenues; but ultimately it was pressed upon the East India Company that it should contribute the ordinary pay of their troops, and that it was unreasonable that they should be paid for hiring them out. This the Directors of the Company admitted, provided India could spare the troops; but the event proved that India was compelled to augment the number of her troops in consequence of the expedition, and the Company demanded the cost of this augmentation from the Government. They were, however, overruled in this, and made to bear the whole ordinary pay. Now, the doctrine the Company laid down is precisely ours—namely, that all extraordinary expenses occasioned by the expedition which would not have been incurred had it not been for the expedition should be charged to the Imperial Exchequer, and we further engage that if it be found necessary to replace the Indian troops used by us, all the expense of that replacement shall be borne by the British Government. All that India undertakes to do is to lend her troops without charge as long as she can spare them. That is the principle on which we have proceeded, and which, I contend, is a just and liberal one. I say it is just, because India really loses nothing whatever in point of money; she only continues to pay that which, if the expedition had not been ordered, she would still pay; and it is liberal, because India places at the disposal of Her Majesty forces which the Imperial Government could not obtain without paying for them. To a moderate extent India does come in as a contributor to the expenses of the expedition; but I think, on the grounds I have stated, it is not unreasonable that she should do so. I was pointing out just now that it is precisely the same principle for which the Court of Directors were contending in the first China expedition; but they thought it very hard that upon the occasion of the Affghanistan expedition, when they were called upon to replace their troops, they should have to do so. But that is not the arrangement in the present instance. The next precedent is that of the Persian expedition in 1856, in which India bore a very much larger share of the cost than England. In that case India bore not only the whole of the ordinary, but half of the extraordinary expenditure. I do not go into the question whether that was a liberal or fair arrangement towards India, or whether India was really more interested in the objects we had in view in that war than she is in the expedition to Abyssinia. I think I could make out a tolerably good case that she is quite as much interested in the present war as in the other, and certainly if there is any difference between them they are not to be measured by the extreme disproportion in the charges that were made upon her. Then there was the second China expedition, which was a very small affair as far as India was concerned, but in which the principle for which the hon. Member for Brighton (Mr. Fawcett) contends was adopted—namely, the whole of the ordinary and extraordinary expenditure was paid to the Indian by the Imperial Government in respect to the body of troops sent to China. But that is very little of a precedent, because those troops were sent, not so much with a view to a temporary object as their remaining a considerable time; and they were kept for a considerable time out of the country. Moreover, that was a period at which much tenderness was felt for India on account of the mutiny. Then we come to the case of the third China war, which is the most recent, and in many respects the most analogous to the expedition we are now contemplating. I have already mentioned the mode in which the matter was brought under the notice of the House of Commons; I will now state what the arrangements were. Perhaps I had better read the three principles laid down with regard to the charges by the India Office. All the extraordinary expenses and allowances of the troops before embarkation and on their employment in the expedition; secondly, all expenses and allowances from the date of embarkation to the date of return to India; and thirdly, all extraordinary expenses upon their return, consequent upon their being employed in the expedition; were to be defrayed from the Imperial Exchequer. Therefore, the arrangement was that the ordinary and extraordinary expenditure should be borne by the Imperial Exchequer, and I fully admit that that arrangement was more favourable to India than the arrangement now proposed. But it must be remembered that this stipulation did not make any mention of the vessels to be employed in the expedition, and when the account came to be made out the India Office sent in a claim on the score of the vessels they had provided for £189,000. That charge, however, was disallowed, and never has been paid. It has therefore been thrown upon the revenues of India. Now, if we go into the subject strictly, I think we shall say that this was a violation of the actual terms of the clause of the Act, because here was an expenditure defrayed out of the revenue of India in connection with military operations beyond the frontier, and the consent of Parliament was never asked.

But I do not bring forward this question with the view of making a charge, but only as a point of comparison with the present arrangements. We now propose to take upon ourselves all the extraordinary charges for the vessels just in the same way as the extraordinary charges for the troops—and we make the same provision with regard to the vessels as the troops—namely, that if any damage is occasioned, or any ships have to be replaced, all the expense of so doing shall be borne by the Imperial Treasury. That is one advantage. There is another, which is that we have taken measures by which we expect to expedite very much the settlement of the accounts between us and India. Some of the accounts connected with former expeditions were kept hanging over for several years. The accounts with regard to the first China war were not settled for sixteen years after the expedition, and it was several years after the third China war before the accounts were finally adjusted. Well, we have taken steps by which the accounts relative to the present expedition will be adjusted in a much shorter time. But there is another point. In the former expeditions the arrangement was that all expenses and allowances — which include the ordinary pay of the troops—should be paid by the Treasury from the date of embarkation to the date of return to India, and to that period it was limited. Now, it would make a very material difference in the amount of saving to the Indian Government, supposing that the same principle was adopted on the present occasion. It is estimated, as the Committee are aware, that the cost of the whole expedition will be about £3,900,000, of which £3,600,000 would cover all the extraordinary expenses which might be incurred in a campaign supposed to last up to the end of March, and £300,000 is supposed to represent the ordinary pay of the Indian troops. But how is that £300,000 made up? In the first place, I would remark that proportion is by no means a large proportion of the expenditure. It is one-twelfth of the expenditure to which England will be put. But it would be monstrously unjust to bring them on British revenue as long as they were in India; and according to the precedent of the third China war they would not be chargeable until they had sailed from the Indian shores. Now, at present only a small proportion of the troops have sailed; and it is by no means impossible, in spite of the criticism of my hon. Friend the Member for Devizes (Mr. Darby Griffith), that a large proportion of the force may never leave Bombay; but whether it does or not, they will not leave Bombay until a very advanced period. Therefore, if you take the principle of leaving the troops chargeable for their ordinary pay until such time as they quit India, the amount of saving to India would be extremely small. On the other hand, if you take that principle, you would not introduce the practice adopted in the China war, but which we propose to establish—namely, that all the expense of recruiting the Indian troops shall be borne be the Imperial Government. Now, Sir John Lawrence told us that he was able to spare this force for a short time, but that it would be impossible to do so for a lengthened period. But already he is beginning to take, and has taken, measures for recruiting the Native regiments, and bringing them up to a higher strength than their ordinary complement. The Indian force is already beginning to be augmented, and it is so arranged that the reinforcement will go on precisely in proportion to what appears to be the need of India. If the troops for the Abyssinian expedition leave India rapidly, and if circumstances are such that the Native forces must be rapidly recruited, the recruiting will go on rapidly. If, on the other hand, the departure of the forces is delayed, or circumstances are such as to render it unnecessary to keep the forces up to a large amount, then the recruiting will go on slowly. We are now arranging with the Treasury the details of the plan by which we shall be able to ascertain the additions to the Indian forces in consequence of the withdrawal of the troops for the expedition, and in that way there will probably be a considerable set-off. Now, I really think that, under these circumstances, we have made a very fair arrangement. There is one other point to which I must advert—namely, as to the change of the relations between the Indian and the British Treasury since the third China war. At that time India had a navy of her own, but she has since been spared that expense, the police of the seas and such services as it formerly rendered being now discharged without any charge on Indian revenue by the British navy. Under these circumstances, this is not, I think, an occasion when England and India ought to enter into a minute calculation, and when one should say to the other, "I get a penny from you, and you get a penny from me—no, not a penny, but only about three farthings, so give me back a farthing." In the relations which properly subsist between England and such a dependency as India there ought surely to be a little more largeness of view and a little more readiness to support interests which are really common to both.

I think I have shown that this is a case in which, though the material interests of India are not involved, it cannot be fairly said she has no interest. It is a case in which it may be said that, balancing all the obligations borne by England for the sake of India, against those borne by India for the sake of England, the balance is not extremely on the favourable side for England. We must remember, moreover, that whereas England has really nothing to gain by this war, except the vindication of a principle which we are bound by the highest considerations to uphold, India really gains something by the organization of so powerful a force, and by the display of her strength to her neighbours. Indeed, I think it would be found, if we could follow the matter into all its ramifications, that India gains not a little by thus passing her forces in review, and by rapidly putting into the field a well-appointed expedition, and that the impression created by this display of strength will not be without its influence even upon her revenues and expenditure. I believe it will henceforth be much easier for India to maintain what I believe to be her true policy—a "policy of masterly inactivity," with regard to the North-Western frontier — when she has shown that it is not from want of strength, not from the want of disposable troops, not from want of spirit or any deficiency in the means of bringing a force into the field, but that it is from deliberate policy and conviction that she adopts what has been thrown in her teeth as a taunt. In submitting this Resolution to the Committee I feel that I am fairly doing my duty by the people of India, whose interests I can assure hon. Members have been uppermost in my mind throughout this matter, and I have at the same time the satisfaction of thinking that in the arrangement we propose, we are, at all events, dealing justly by the people of this country. The right hon. Baronet concluded by moving the Resolution.

Motion made, and Question proposed,

"That, Her Majesty having directed a Military Expedition to be despatched against Abyssinia, consisting mainly of Troops, both European and Native, at present maintained out of the Revenues of India, the ordinary pay of such Troops, as well as the ordinary charges of any Vessels belonging to the Government of India, that may be employed in the Expedition, which would have been charged upon the Revenues of India if such Troops or Vessels had remained in that Country or seas adjacent, shall continue to be so chargeable: Provided that, if it shall become necessary to replace the Troops or Vessels so withdrawn by other European or Native Forces or Vessels, the expense of raising, maintaining and providing such Forces or Vessels shall be repaid out of any monies which may be provided by Parliament for the Purposes of the said Expedition."—(*Sir Stafford Northcote.*)

MR. FAWCETT said, that in opposing the proposal of the Government he had no intention of casting the slightest censure upon the right hon. Baronet, to whose zeal and assiduity in performing unusually onerous duties, the blue book bore remarkable testimony: nor did he intend to discuss whether the India Government Act had been violated by advances being made out of the revenues of India without the sanction of Parliament. As to the military arrangements, he did not feel himself qualified to criticize them; but he fully approved the selection of Sir Robert Napier as Commander, believing that the interests of the country were safe in his hands. The two arguments by which the proposition of the Government was supported, at least out of doors, seemed to him to be mutually destructive. It was said, in the first place, that India would in reality pay nothing; and, in the second place, that it was only just that India should contribute something, the war being partly on her account. But if the expedition would cost India nothing, how should it be argued on the other hand that it was no more than justice that India should contribute something to it? The right hon. Baronet (Sir Stafford Northcote) had made use of a third argument which seemed to be not a little hazardous — he had said that the expedition was necessary to maintain our prestige in the East. Indeed, the right hon. Baronet had stated that we should probably not have thought it our duty to send an expedition had it not been in the neighbourhood of India that our Envoy was imprisoned. [SIR STAFFORD NORTHCOTE: I said not so soon.] Now, the first argument could hardly be insisted on, for certain forces being lent from India, and India being for the time deprived of their services, part of the cost would clearly be borne by that country, as indeed the right hon. Baronet had admitted. But passing that by, he would remind the right hon. Gentleman that in his letter to the Governor of Bombay he had said that the expense of the expedition should be ultimately borne by the Imperial Revenue, although the advances would in the first instance be made out of the Indian Treasury. The right hon. Gentleman had thus given a positive and absolute pledge that no pecuniary burden should be cast upon the people of India ; and it would be disastrous to the credit of public men if that pledge were not faithfully redeemed. The right hon. Baronet, moreover, had admitted that if an English Envoy had been seized and detained by a civilized European Power it would be monstrous to ask India to contribute a penny towards the war in which such an act might involve us. But he could not see why it was not equally monstrous to call upon her to share the expense because the outrage had been committed by a barbarian King in Africa. As to loss of prestige, it seemed to him to be far less involved in the latter case. The people of India—or at least the intelligent people of India, who alone would be likely to hear of it—would have concluded, if we had declined to send an army to Abyssinia, that our refusal arose, not for fear of King Theodore, but solely from an unwillingness to intrust, for the sake of a few prisoners, some thousands of men to a pestilential climate and an unknown country ; but any hesitation about beginning a European war would really seem to them to be owing to a want of courage or resources. Why, the noble Lord (Lord Stanley) himself had attributed to rumours that had reached India respecting the break-down of our military system in the Crimea, the mutiny of our Native troops. He now came to the strong point of the case. The right hon. Baronet's argument implied that this war had to a great extent been forced on the Government by the Indian officials, though he did not say so in express words. Now, if the despatches in the blue book had borne out this argument, he would not have said a single word against the proposal. But there was nothing whatever in the despatches of the Governor General of India, the Commander-in-Chief, or any other high official, to countenance any such opinion ; consequently, no ground for charging any portion of the expense on the Indian revenue. On the contrary, the despatches of Sir John Lawrence, Sir William Mansfield, and Sir Henry Durant, instead of insisting upon the necessity of sending an expedition, alike concurred in strongly impressing on the Government the necessity of caution, and of avoiding anything like undue haste. They did not magnify the difficulty of the expedition, but again and again they referred to the political difficulties into which the country might be led. The right hon. Baronet could not produce a single passage in those despatches to justify the assertion that Indian interests demanded such an expedition. The despatches of Sir William Mansfield and Sir Henry Durant showed that they believed that the difficulty of getting out of Abyssinia would be far greater than that of getting in it, and they pointed out that the political honour and reputation of the country would suffer if, after exacting and obtaining reparation for the detention of the prisoners, they left the country in a state of anarchy. Sir William Mansfield was rather in favour of sending a Political Resident there, and at all events he anticipated danger from the length of time which it would be necessary to occupy the country. He pointed out that they might possibly make Abyssinia a sort of Algeria for India, which had always been Consul Cameron's favourite hobby, and perhaps King Theodore was frightened, and the feeling of the people of the country would be aroused by the contemplation of such an event. The expedition had therefore not been pressed upon us by the Indian officials. On what ground could they say that Indian interests were involved ? The right hon. Baronet said, that the people of India were as much bound to pay a portion of the expenses as if an indignity had been offered to our Envoy at Burmah or any other Native court. But common sense would show them that the cases were wholly different. India was peculiarly and directly interested in Burmah and Bhootan. An expedition to Abyssinia was quite another thing to an expedition to Burmah or Bhootan. It was the opinion of Sir William Mansfield, not only that the expedition must last two years, but that it would be more difficult and costly than that of Sir James Outram to Persia. The right hon. Baronet had referred to precedents ; but the precedents named were such as to convince him (Mr. Fawcett), if nothing else had been urged, to vote against the expedition. He (Mr. Fawcett) objected to taxation as much as any one ; and he thought that increased taxation was particularly unfortunate at a time of dear bread and crippled industry; but even heavy taxation was infinitely preferable to this country incurring the reproach of having cast the slightest injustice on the unrepresented millions who lived in our dependencies. Last Session he felt it to be his duty to protest against what he considered to be an expenditure of a very mean kind—though that protest was wholly unattended to. The right hon. Baronet was perfectly aware that throwing the expense of an entertainment on India had been denounced by the whole Native press of India. The other night the noble Lord at the head of the Foreign Office, in words of wisdom, said—"India is a great glory, a great responsibility, and a great danger to this country—a great glory, if we studiously do our duty; a great responsibility, and therefore every hon. Member ought to be as anxious to protect her interests as to protect the interests of his own constituents; a great danger, and therefore any injustice done to her may return to us a fearful retribution." After careful consideration he had arrived at an opinion; and when the Chairman put the Question, he (Mr. Fawcett) must ask the Committee to express an opinion on a policy which he believed was fraught with danger to the honour, the welfare, and the highest interests of the Empire.

Sir HENRY RAWLINSON said, that when this Abyssinian expedition was first discussed in this House in a debate which had been often referred to, he had the honour of suggesting that as our Indian interests would be injuriously affected by our continued submission to the indignities of King Theodore, and would be proportionably benefited by measures for resenting those indignities, it would be only a fair and reasonable arrangement that the revenues of India should be charged with a moiety of the expenditure incurred. In saying this he had been guided by what took place in the Persian war, which, although not exactly a parallel case, was an Imperial war, and only indirectly affected the interests of India. It appeared from the Motion before the House, and from the very lucid speech of the right hon. Baronet, that the proposal of the Government had been very considerably modified in favour of the people of India. Instead of the expenditure being equally divided between the two Governments, it now appeared that only one-twelfth would fall on the people of India, and that the share borne during the first six months would be £3,500,000 for the Home Government, and only £300,000 for India. Even this limited contribution was objected to by some hon. Members, and the sense of the House was, it seemed, to be taken upon it. It seemed to him that hon. Members with strong feelings in favour of constitutional liberty had gone too far. It was alleged that the Indian taxpayers would object to being saddled with the cost of maintaining the troops in Abyssinia; but would they not equally object to the cost of maintaining those troops in India? The revenues of India were mainly derived from land which was the property of the State. The Indian community were practically unrepresented; but if they had a representation and were consulted on the subject, they would probably object to all military expenditure, whether in India or Abyssinia. Our system of government in India was essentially for the maintenance of our own power, and when we spoke of Indian interests, we meant our own interest as the ruling Power of India. Nor was there any reason to be ashamed of this, for our Indian Government was a paternal Government, and the best interests of our Indian subjects were bound up with the strength and maintenance of our rule. The real question before the House was whether the Abyssinian expedition had any effect upon Indian interests—that was to say, upon the maintenance of British power in the East. In that sense he thought that the expedition would have a very great effect upon those interests. If it could be shown that it would have no such effect, and that the people of India were absolutely indifferent either to our success or disgrace in Abyssinia, the ground would, he admitted, be cut from beneath his feet, and it would be unjust to saddle India with a farthing of the expense. But this was not his view of the case. The Native mind vibrated to every chord struck in the politics of surrounding countries. The Native mind of India, for example, was greatly excited by the near approach of Russia, and it behoved this country to adopt measures of defence, not against any special danger, but simply to allay that excitement. He believed that the Native population of India viewed our proceedings in Abyssinia with intense anxiety. They had ample means of obtaining information on the subject; and viewing it in this light, it was his opinion that by sending Indian troops to Abyssinia for the purpose of vindicating our national honour, we were only taking a measure of precaution as legitimate as would be the enlistment of fresh Indian battalions for the purpose of overawing a disaffected district. Moreover, as a question of principle, he could see but little difference between employing troops in India for the purpose of upholding British power and employing them on foreign service for the purpose of maintaining British prestige in India—for our prestige in India was the essential element —nay, the very foundation of our power. But the strongest argument in favour of employing Indian troops in the expedition was afforded by the practice which had grown up of an interchange of services between the Home and the Indian Governments. Thus, for instance, the Royal Navy now fulfilled gratuitously all the duties connected with the defence of India that were formerly discharged by the Indian Navy—a service which drew heavily upon the Imperial Exchequer, and in many instances the Home Government had sent out at its own expense expeditions of which the objects more nearly related to India than to the rest of the British Empire. Under these circumstances, he could see nothing either monstrous or unusual in the present proposal to charge the pay of the Indian troops employed in Abyssinia upon the Indian revenues. The matter was, in point of fact, a mere departmental question, for the employment of the Indian troops on this expedition would not entail the expenditure of a single additional rupee out of the Indian revenues. The military establishments in India were not calculated upon the bare garrison requirements of the country; but there was a margin of disposable force always and purposely left for any emergency that might require their presence, either on the frontier or in foreign countries. There being such a surplus force now at the disposal of the Indian Government it was only natural that it should be employed in the Imperial service; and therefore any remuneration which the Home Government might be called upon to give for the use of the troops to be paid out of the Imperial revenues must take the form of a subsidy to India. Those who have the conduct of Indian affairs told them, however, that the Indian Exchequer was not in such an impoverished condition as to require such a subsidy; and, under these circumstances, he did not see that the objections which had been taken by the hon. Member for Brighton (Mr. Fawcett) could have any possible force. He had also to refer to another point which he regarded almost in the light of a personal question. He was anxious to correct an erroneous impression that appeared to have got abroad that he was in favour of an annexation of Abyssinia—an impression that he could only attribute to his having accidentally used the word "sanatorium" in illustration of the extreme salubrity of the Abyssinian Highlands. He confessed that he thought that during our temporary occupation of that country it might be as well to establish a sanatorium for the Indian troops in those Highlands, and he was happy to find that Staff Assistant Surgeon Neil coincided in that opinion. But in offering that suggestion, he distinctly denied that he had ever advocated nor even contemplated the possibility of any permanent annexation of the country. On all occasions on which he had spoken upon this question he had distinctly repudiated the notion that we should permanently occupy the country. At the same time, he was aware that many specious arguments had been brought forward in favour of permanent occupation; and as it was probable that those arguments might be pressed upon Government with some force, perhaps it would be as well to pass them briefly in review and see what their value was. It had been said, for instance, that the spectacle of a Christian population, however degraded, bravely preserving its ground against the hosts of Paganism and Mahomedanism, commanded and deserved sympathy; that the rescue of such a population from the jaws of the Mahomedan power would win the admiration of the civilized world; that in the possible contingency of Egypt falling into the hands of a rival European Power, it would be no mean advantage to our Indian possessions if we had already secured a footing in Abyssinia; that it would prove a valuable outlet for the commerce of Africa and a valuable market for the manufactures of England; that the fertility, the mineral wealth, of the soil, and the salubrity of the climate rendered it singularly suitable for colonization; that, as masters of Abyssinia, we could put a stop to the detestable traffic in slaves, which was still the curse of the East—that Abyssinia was the only channel through which the civilization of the West could successfully penetrate into the heart of Africa. All this might, and would, be urged; but he hoped that the Government would not lend its ear to such sinister arguments. He had carefully weighed them, and his original opinion remained unchanged. He should be sorry to believe that the British Empire was "surcharged with the responsibilities of Empire," as in that case he should believe that the greatness of England had reached its limit; but what he did believe was, that we had a right to discriminate between remunerative and unremunerative acquisitions, and he was certain that Abyssinia, though it should fall into our hands in ever so orthodox a manner, would prove an unremunerative acquisition, and therefore one which we were bound to reject as a source of weakness rather than of strength both to this country and to India. He could not disguise the advantages that would result in a philanthropic point of view from our permanent occupation of Abyssinia; but he looked upon those advantages as expensive luxuries, which were beyond our means. We could not afford to hold Abyssinia as the French held Algeria, and therefore the less said about it the better. Looking at the question from a political point of view, it had been said that French influence bestrid our overland communication with India as the Old Man of the Sea bestrid the traveller in the *Arabian Nights*, and that therefore it was necessary for us to annex Abyssinia in order to counterbalance that influence. But, in his opinion, for us to seize Abyssinia would only precipitate a solution of the Eastern question; and therefore it was as much in the interest of peace as for the interest of the community that we should solemnly repudiate any intention of permanently occupying that country. For these reasons, he had heard with extreme pleasure that our troops would quit the country as soon as the object of the expedition was accomplished. But the arguments he had made use of respecting the occupation of the Ethiopian Highlands did not apply to the sea-coast. He should wish for official information upon the subject of the Turkish claim to certain portions of the coast, which depended upon an alleged right obtained by conquest upwards of three centuries ago; and he should further wish to be informed as to whether the port of Adulis, which we had made our port of disembarcation, belonged to Turkey, Abyssinia, France, or Egypt. It was the more important that this question should be answered, as the French Vice Consul deliberately maintained in the last work he had published on the subject that the place belonged to the French Government. There was one other subject with reference to the sea-board on which he wished to say a word. It must be matter of extreme regret that we had not long ago encouraged the formation of an Abyssinian port, and this was the more surprising as there had always been a special officer connected with the Abyssinian Court called the Lord of the Sea. Had there been such an establishment, it would have been equally valuable in the interests of commerce and of civilization. It would have been a flourishing emporium of trade, and, being open to blockade and capture, would have been a great security for the good behaviour of Abyssinia. With reference to the future prospects of the expedition, he might be allowed to say a word. If the mere demonstration of our force should fail—for he could only regard our present proceedings as an armed demonstration—if we were obliged to march into the interior of Abyssinia in pursuit of Theodore and the captives, we should be committed to a very serious undertaking, and we must contemplate the possibility of a provisionary and temporary occupation; for everyone would admit that to return from Abyssinia *re infecta*, without the liberation of the captives, and without the punishment of Theodore, would simply be to cover ourselves with ridicule and disgrace. Allusion had been made to the Minute of Sir Henry Durand, which was particularly addressed to this question—how long the expeditionary force should remain, and under what circumstances were they to retire from Abyssinia. No doubt Sir Henry Durand, in drawing up that very remarkable paper, was guided by his recollection of what took place in the closing scenes of the war in Affghanistan, forming a complete parallel to what might be expected in Abyssinia. He was sorry that document had not received at the hands of the noble Lord (Lord Stanley) all the attention he thought it merited. He went along with the noble Lord in every particular of his exceedingly able and lucid speech the other evening except as to the special question discussed in Sir Henry Durand's Minute. It seemed to him that the noble Lord had misunderstood the import or drift of it. He appeared to think that the "seething anarchy" deprecated was with reference to its effect on the Abyssinians who, the noble Lord said, had brought it down on themselves; it could not be helped; they must take the punishment of their iniquities; but, in fact, Sir Henry Durand foreshadowed the discredit that would come on us and our arms if we left the country under that burden of seething anarchy, such as existed in Affghanistan at the time in question. He (Sir Henry Rawlinson) did not himself anticipate all the evils Sir Henry Durand had foreshadowed, for a very sufficient reason — that he believed we might count upon the Government of Tigré to act as a sort of buffer between our army and the Abyssinians, so long as we maintained friendly relations with the authorities there; but he thought it due to Sir Henry Durand that his argument should be properly stated and understood. The evil consequences of a precipitate retreat from an invaded country, which he specially deprecated, had been described in a recent article in the *Quarterly Review* by an eye-witness of the circumstances under which we retreated from Affghanistan. If the House would allow him, he would read a very brief extract. The writer said—

> "It was not so much our retirement from Affghanistan in 1842, as the circumstances under which that retirement was effected, that disparaged our position in Central Asia. Had we remained in the country for another year after the recovery of the prisoners, and had we then withdrawn in an orderly and honourable manner, and in pursuance of an arrangement with the parties into whose hands we had committed the government of the country, the effects of our previous disasters would have been mitigated, if not entirely removed; but, retiring as we did, without any understanding with the Doorani chiefs, and pursued by an implacable foe down to the last pass debouching on the plains, the previous ill-effects on our reputation were no doubt enhanced; the general impression, indeed, being, both in India and Central Asia, that we were fairly driven from the mountains. It is not unusual, even, to find a belief among our own officers that in retiring from Affghanistan we yielded to superior strength, whereas in reality the country was more completely in our power at the moment of our retreat than it had been at any previous period of the occupation."

He presumed no one would doubt that it would be most discreditable to us if, in retiring from Abyssinia, we were pursued to the sea-shore by infuriated Abyssinians, as we were pursued through the Khyber Pass. If our retirement from Abyssinia should be conducted with the same precipitancy which marked our retreat from Cabul, he should certainly expect that discredit, though not to the same extent, would attach to us; but if, on the other hand, the expedition was conducted throughout, in its closing scenes as well as in its early stages, with that forethought and deliberate care which had characterized the preparations hitherto, then, he said, it would redound to the credit of our arms, increase our political prestige, and give us the proud satisfaction of knowing that we had done our duty, and done it thoroughly, as one of the great nations of the world appointed to watch over the interests of civilization.

Mr. GLADSTONE: I am desirous, at the very earliest opportunity in this debate, to notice the argument used by my right hon. Friend (Sir Stafford Northcote) in regard to the clause of the Act of 1858. He says he is bound to admit that, on a strict construction of the words, the Government has done what is illegal. Now, whatever may be said of the general intentions and doings of the Government, I submit that a strict construction of Acts of Parliament passed for the purpose of restraining a Government is the only construction that can be tolerated within the walls of Parliament. The Act must be strictly interpreted. But then, says my right hon. Friend, after all they have only done what was done by their predecessors. In effect, he said that the Government of Lord Palmerston did exactly the same thing in 1859 with respect to China that is now done with respect to Abyssinia, except that the time which then elapsed before the sanction of Parliament was obtained was longer. Now, certainly, I must take my share of responsibility as a Member of the Cabinet; but it was no part of my duty departmentally to watch the proceedings of the War Office, or of the Navy; but I contend that our proceedings were perfectly orderly and right according to the strict construction of the Act of Parliament. The Act of Parliament says that our Indian forces may be employed without the consent of Parliament in cases of sudden and urgent necessity. Was there ever, then, a case of more urgent necessity and emergency than that which grew out of the transactions of June 1859? That was an incident as extraordinary and remarkable as ever marked international relations. It was one which required on our part immediate action; and it was precisely a case, as I contend, to meet and prepare for which those words were inserted in the Act. It was foreseen that an emergency might arise, and it was because we saw that it had arisen that we at once proceeded to act without obtaining the assent of Parliament. My right hon. Friend may say that we ought to have brought Parliament together to obtain its assent. That is a totally different matter. The question whether Parliament should be called together is purely a formal question, when there is no question as to what is to be done. That question may be argued; but I think it would have been making too great a demand on the time and patience of Parliament if it had been called together on that subject in the month of September or of October. If the Government of Lord Palmerston had, in the opinion of the Opposition of that day, as my right hon. Friend has stated, broken through the Act, why did they not take notice of it? On a proper occasion I shall be ready to challenge discussion on the point whether the transaction of June, 1859, was not precisely a case to meet which the particular words were introduced into the Act of Parliament. There were some matters in the speech of my right hon. Friend to which I shall not now advert, except to say that the degree in which he used the first person singular—no doubt more from accident than design — would, if strictly construed, have led us to understand that a great deal had been done by my right hon. Friend in his personal or individual capacity, which ought to have been done by the whole Cabinet in an affair so extraordinarily grave. I have no doubt that such a construction would be incorrect, and we must assume that everything in that respect was properly and duly transacted. As my right hon. Friend has referred to a question which I did not expect to hear introduced into this discussion—namely, the amount of force to be employed —I must own that there is a good deal to excite in the mind on the perusal of the papers in the blue book—a feeling of regret that the demand for so large a force was not subjected to a more careful and scrutinizing examination. Colonel Merewether, a gentleman intimately acquainted with the country, and the circumstances of the case, made a recommendation for a much smaller number of men than that now asked for. [Sir STAFFORD NORTHCOTE: He named 6,000.] Sir William Coghlan, well qualified to give his judgment on the question, likewise recommended the employment of somewhere about the same number. [Sir STAFFORD NORTHCOTE: 10,000.] The Governor of Bombay, in a telegram dated August 9, states—

> "At present the Commander-in-Chief prefers Massowah, and proposes a force of 12,000 men, four field batteries, one squadron of European cavalry, four regiments of Native cavalry, three regiments of European and eight regiments of Native infantry, two companies of sappers and miners, a mountain train, and the Punjaub Pioneers. I have no doubt that this may be reduced; for such a force, with followers, rations alone for thirty days would need 10,000 mules, or 5,000 mules and a great many camels."

He also states in another part that such an amount of force, with the followers, estimated at a large number [An hon. MEMBER: 50,000], would find difficulty in obtaining the means of subsistence. I am not presuming to say that 12,000 is the wrong number; but, considering the enormous difficulties that attend the augmentation of the force, considering that there was a *primâ facie* ground for sending on such an expedition a very small force of picked men, and considering the great division of opinions which appears to exist on the subject among highly competent authorities, I think that the demand for 12,000 men should have been subjected to a prolonged and somewhat jealous consideration. I do not say that the Government may not be able to assign good reasons for the large amount of force they ask for, because carelessness is not a charge to be made against them in respect to the details of this expedition. I now come to the question immediately before us, and it must be admitted to the hon. Member for Brighton (Mr. Fawcett) that no demand against the Indian Treasury can possibly be founded upon any supposition that the expedition was forced on by the representations of Indian officers. No doubt, the opinion of Sir John Lawrence is favourable to the practicability of such an expedition, and that circumstance might have important weight in promoting any determination arrived at in this country; but I do not understand the Secretary for India to found his argument on any pressure from India. There was another argument, which the hon. Member for Brighton laid great stress on, and which must fall to the ground. He found in the blue book a letter from the Secretary of State for India to the Governor of Bombay, creating a certain doubt whether the whole charge would ultimately be borne by the British Exchequer; and the hon. Member for Brighton treated that in the nature of a formal and solemn engagement which we have no right to cancel. In my opinion, that is an entirely false view of the nature of a despatch passing between the Secretary for India and the Governor of Bombay. The Governor is not a person acting on the part of a local Legislature or on the part of a nation invested with privileges; he is the confidential servant of my right hon. Friend, and the words used by my right hon. Friend constitute no engagement, but amount to mere information conveyed to his representative and agent at Bombay, and are subject to be modified and recast ten times over, if such should be the pleasure of my right hon. Friend. Therefore, all idea of an engagement founded on such a view as that taken by the hon. Member for Brighton must be set aside. These considerations lead us to approach fairly the question before the House—which is, what are the precedents and what is the amount of charge to be borne by India? and I must say that the Government have weakened their own case by making the charge so small. It has been said by some hon. Gentlemen that India has a real interest in the expedition. I find that the interest of India in this matter is appraised at about 8 per cent of the whole charge, and that 8 per cent is liable and probably will be subject to considerable reduction. It may be said if you impose so little why impose anything at all? But if there is nothing unjust in the proposal, it cannot be objected that you have dealt unkindly by India; for while recognising the principle that her resources may be made available for this purpose, you have drawn on them in a very moderate manner. With regard to precedents, they no doubt differ. I think that the nearest precedent is the Persian war. But instead of following that precedent, the Government propose to make an enormous difference by exempting India from one-half of what we call extraordinary expenses, which, in fact, becomes an enormous proportion of the whole in a case of this kind; and therefore the Government have relieved India from a great proportion of the burden to which they would be subject had the precedent of the Persian war been followed. Now, Sir, the House will understand, and understand clearly, what is the nature of the position in which India is placed with reference to this service which she is to render us; for I confess I am disposed to contend that it is much more a service rendered to us than a burden imposed upon India. If my hon. Friend succeeded in his Motion—if you were to place this additional charge on the British Exchequer, India would not be one shilling the richer, and the adoption of the proposal of the Government will not make her one shilling the poorer. What it will do is this—it will withdraw from India for a time a portion of her available force. ["Oh!"] Yes; but my hon. and gallant Friend behind me gave, in my opinion, a perfect answer to any objection that might arise out of that circumstance when he said that the army in India is not regulated by an exclusive regard to what may be required for the purposes of the garrison. There is in India a necessary margin of disposal force. That force may be applied here or there, with reference to circumstances; and, not being wanted in India, you employ it elsewhere, with a solemn pledge that if it should be wanted in India it shall be replaced. Therefore, I cannot conceive what this case of injustice may be. I am inclined very much to share in the feeling—and I think it is a most laudable and honourable feeling—which is entertained by my hon. Friend the Member for Brighton, and certainly by some other Gentlemen in this House—namely, a sentiment of scrupulous and tender regard to the nature of our relations towards India, and to the fact that we alone have the power in our hands, and are therefore doubly bound to exercise it with justice. That feeling may arise more out of the recollection of the ball given to the Sultan and the Viceroy of Egypt last summer—a rather questionable proceeding, I admit—than out of the merits of the proposal of the Government as it now stands. Sir, it should be remembered that our responsibility for the military Government of India is not measured by the amount of troops there. It should be remembered that we are bound to keep in reserve a force adequate to meet all the contingent demands of India. If my hon. Friend the Member for Brighton shall think fit to move for an inquiry, or if the Government should think fit to propose an inquiry—and, for my part, I am very disposed to believe it might be useful—into the distribution of the military and naval charge between England and India under the present arrangements, my opinion — my strong opinion—is that the result of that inquiry would be a not inconsiderable addition to the charge of India, and a not inconsiderable diminution in the charge of England. Now, what happens in this case? India wants men. A soldier cannot be made in a day. But we are bound to keep up the stock of soldiers from which the wants of India can be supplied at a moment's notice. India, again, ceases to want men, and the Governor General and the functionaries there, properly regardful of the rights of the Indian Treasury, write home to the Secretary of State and tell him they can dispense with three, four, or five regiments, as the case may be, and that at such and such a date—it may be in a fortnight—those regiments will be on their way back to England, and the moment they come here they become matter of charge against us. They do not come back because we want them, but because India does not want them. This, I know, grows out of the necessity of the circumstances. I am not complaining of it as a grievance. I only wish to bring the fact to the mind of the House. In truth, England must keep a military bank on which India can draw checks at pleasure, and to which again, when it suits her, she may make remittances, whether we have employment for them or not. I own that, whatever becomes of the Motion of my hon. Friend, I think this question of military and naval charge is one that requires consideration. I do not ask from the Secretary of State for India any assent to these observations. It is his business as a Minister to stand up very jealously for the rights of the people of India; but I am sure that I am justified in laying these general considerations before the House. Undoubtedly it is open to my hon. Friend the Member for Brighton to say, if he thinks fit, "Well, examine your distribution of charge, and if it be wrong set it right." But what I am entitled on the other hand to say is this: that at present there prevails, and there has prevailed—as has been pointed out by the hon. and gallant Member for Frome (Sir Henry Rawlinson)—a system of give and take between England and India—not capable, I grant, of being reduced to a precise form—not so scientific as, perhaps, it ought to be in all particulars; but we have been endeavouring for years—successive Governments have been endeavouring — to establish a greater strictness of account and to arrive at a greater definiteness of relation. But in the meantime, on an occasion arising like this, it is not unnatural that the Government should look back upon the precedents which exist, and which are, at all events, partially applicable for their guidance; and if they make a great mitigation upon what was done in former instances, I do not think we should be justified, as the representatives of the people of England, in refusing to accede to the proposal which they now submit to us. Sir, this discussion has been necessarily somewhat prolonged and has taken a somewhat wide range. I have endeavoured to keep myself as much as I could to the consideration of the points immediately before us; and I must repeat that the Government having upon their responsibility made to us this proposal, I confess that on examining it, it seems to me upon the whole to be moderate in amount, conformable to precedent, with a tendency towards greater leniency than towards greater rigour to India, to be tenable and fair in principle, and therefore one that will meet the justice and equity of the case.

MR. LAING said, he thought no one would dispute his assertion when he said that all his prepossessions in a question of that kind were in favour of doing the strictest justice to India. He had often had to battle the cause of Indian finance against the English Treasury, and certainly if he thought any injustice was now sought to be done to India, he should take the same course. But, on the most attentive consideration which he could give to the subject, he must say he thought the proposal now made by the Government was perfectly fair in itself, or, if it departed at all from the strict line of equity, that it was rather more liberal to India than to England. He must ask himself what would take place supposing India and England were two independent countries, and the apportionment of that expenditure were to be referred to an impartial arbitrator—for instance, to such a person as the late King of the Belgians. It would, in such a case, be urged, no doubt, on the one side, that inasmuch as India was not at all responsible for the Abyssinian war, and as the responsibility for that war rested solely and exclusively upon England, owing to the mistakes made by the English Foreign Office in former times in entering into diplomatic relations with a country like Abyssinia, India ought not to be fixed with any portion of the cost of the quarrel. But it would be urged, on the other hand, by the advocate of England, that, taking things as they found them, and recognising the necessity of maintaining the prestige of England in the East, that was an object in which India had a far greater and more immediate interest than this country. No doubt, as far as prestige was concerned, the position of England on that side of the Isthmus of Suez rested on the basis of solid strength, and was not a matter of mere opinion. But in the East things were very different, and prestige there was an important element of security. This was not a question of prestige only, but of prestige in that particular district where it was most important in the interest of India that it should be maintained; because this was a question of showing in the districts bordering on the Red Sea, that England had a long arm and could not be insulted and defied with impunity; and the lesson might have most useful consequences not only in Abyssinia, but on the Arabian side of the Red Sea, where the interests and the security of our Indian possessions might be affected. Again, it was of immense advantage to India that opening, so to speak, should be given to the Indian army for keeping itself in wind, if he might so term it. It was of the greatest use in a system of Government like that of India, which was one rather of persons than of measures, that the wheels of military administration should not rust; that there should be frequent opportunities for enabling young men and officers to distinguish themselves; and that we should know upon whom in emergencies they could rely to come forward and do service. It was of great importance also that the wheels of the administration of their army, their commissariat, their transport, and so on, should not be allowed to fall into decay; and therefore he said that, on the whole, it did contribute very materially to the security of their Indian Empire, that an expedition of that description should be conducted with Indian forces. ["Oh!"] He heard some dissent from those views. He could quite understand that dissent if it implied that he advocated such an expedition simply for the purpose of keeping the Indian army in a state of efficiency. That, however, was not at all his meaning. What he did say was that expeditions of that sort did sometimes occur of necessity, and the question was whether they should employ English forces from this side in them, or Indian forces from the other; and he maintained that there was a great material and tangible advantage in conducting those expeditions from India and not from England. That was an assertion which, he ventured to say, no one having the slightest practical acquaintance with affairs in India would get up and contradict. Under these circumstances, he thought that if a reference were made to an impartial arbitration whether India should bear any portion of the cost of that expedition, very probably the award would be that India should bear a share of its total cost. However, as he understood the present proposal, the Indian taxpayer was not to bear any portion whatever of that cost, but was to be left in precisely the same position as if the expedition had never taken place, and as if the troops had remained in their cantonments in the different Presidencies. If the expense of the transport of the troops was to be borne by this country, and the expense of the raising of additional forces in India—should that be necessary—were also to be defrayed by the Government at home, then it seemed to him to be clear that no portion of the outlay connected with the expedition would be imposed on the Indian taxpayer. Had the expedition not been resolved upon no portion of the 12,000 Indian troops engaged in it would be disbanded. Indeed, reductions in the army in India had already been carried further than was thought by some high military authorities to be consistent with prudence. He did not say that those reductions had been carried beyond a proper limit; but it was well-known that they would not practically be pushed to any greater extent—so that those 12,000 men would have had to be maintained although the expedition to Abyssinia had never been heard of, and the Indian Budget would stand at precisely the same figure. India, under those circumstances, would have all the advantages of the maintenance of its prestige, while its taxpayers would not be called upon to pay an additional penny towards the cost of the expedition. When he contrasted that state of things with some of the precedents of former years, he must say he regarded with great satisfaction the progress which had been made in this country towards dealing with the Indian taxpayer in a spirit of fairness and liberality. The right hon. Gentleman the Secretary for India had cited many precedents which ought, in his opinion, rather to be avoided than imitated. The fact that the additional charge of £198,000, which she incurred in sending troops on the Chinese expedition, was disallowed by the English Treasury he looked upon as neither more nor less than a robbery committed on the Indian taxpayer. He saw nothing of that sort in the present instance. He saw, on the contrary, nothing but a perfectly fair and equitable solution of the question at issue, so far as India was concerned. That being so, he felt that any hon. Member of that House whose opinion might have weight in that country should speak his sentiments on the subject, for it was calculated to be productive of great mischief that the people of India should be misled by statements made in the Parliament of England—that they were unjustly treated, when such was not in reality the case. With respect, then, to the financial question involved, all he would ask the Government to do was to adhere to the principles in relation to it which they had laid down, and not to attempt either directly or indirectly to impose any additional charge on the revenues of India in the event of the war with Abyssinia being protracted, and the expenditure required for it being larger than was at present supposed. He wished, in the next place, to offer a few observations to the Committee on the question which had been raised as to the legality or illegality of the course which they were invited to pursue. It appeared to him that, taking the plain construction of the clause in the Act, no practical illegality was involved in that course. The practical question was this—assuming that the expedition to Abyssinia was to take place—was it or was it not to be enterred upon during the present cold season rather than be postponed to the cold season of 1868? He could understand that there might be a difference of opinion as to whether an expedition should be sent to that country at all; but he could not see how—it once having been decided that it should be sent—it should be put off for a period of twelve months. If, again, it was determined that the expedition should be prosecuted during the present cold season, it was indispensable, in his opinion, that the preparations for it in India should have been entered upon at the date at which they actually commenced. The word "urgent" ought not, under the circumstances, to be construed, he thought, in the technical sense in which it had been, for there were reasons of public interest why measures should be taken in the month of June or July so that the expedition might be entered upon in the present year. He thought, then, that the words in the clause were not to be construed in a strictly technical sense, and that the Government had done right in not being bound by any such construction, and in afterwards coming fairly and frankly to Parliament and asking them to approve of the course taken. He wished, also, to say a word or two with regard to a point of great importance which had been raised by the hon. and gallant Member for Frome (Sir Henry Rawlinson), who was a very high authority on the subject, and who had evidently bestowed upon it the deepest attention. He alluded to the question of our making a permanent settlement in Abyssinia. No one, he felt assured, would, with his eyes open, countenance a speculation of that description. It was perfectly certain that it would be entirely unremunerative, and they had no right, in the interests of their own "flesh and blood" the taxpayer, to go for permanent occupation. What the British taxpayer desired was that the occupation of the country should not be prolonged a moment longer than could possibly be avoided. At the same time, it would, he thought, be unworthy of the House of Commons to refuse to look possible contingencies fairly in the face, and the question of our stay in Abyssinia was one which must be decided very much by the course of events, and not by the views of any Minister, however well-intentioned. While, therefore, he deprecated strongly anything like a prolonged occupation of Abyssinia, he could not but feel that we might find ourselves involved in some course of the kind against our will. In such cases there was a course which seemed to be marked out by Providence by which the best-laid designs of men were very often overruled; and although he did not think we ought to go to war for an idea, or embark in an unprofitable expedition on account of those general considerations of civilization which had sometimes prevailed, still he could not say how far we might be destined to be the promoters of civilization in Africa. Of course, we might avoid all risk of being obliged to make a long stay in Abyssinia by not going there at all; but he, for one, felt that no other alternative was open to us. There were, he maintained, occasions in the lives of nations as well as of individuals, when considerations of honour and duty must be allowed to outweigh those of mere gain. He could not see how, consistently with the national honour, we could have avoided sending out the present expedition; and that being so, all he wished to contend for was, that we should go into it manfully, with a determination to escape from Abyssinian territory as soon as we possibly could, but to take at the same time the consequences of following the path wherever it might lead. The right hon. Baronet the Secretary for India had placed very fairly before the Committee the sense of responsibility and the anxiety under which he laboured in dealing with the subject, and he deemed it but just that those who had watched the course of the expedition, especially if they sat on the Opposition side of the House, should state, if such was their opinion, that all that had been done by him up to the present moment redounded greatly to his credit. The right hon. Baronet had, so far as he could judge, taken the right steps in the matter, more especially in placing at the head of the expedition a military man of such high reputation as Sir Robert Napier. He had had the pleasure of serving with Sir Robert Napier in the Council of India, and a better man for the post which he now occupied could not, he believed, have been selected. As a soldier, he had won the greatest distinction. The services which he had rendered in hunting down Tantia Topee, and as second in command in the Chinese expedition, were too well known to be recapitulated, while as regarded his political qualifications for his present position, they were deserving of all confidence. He was not a man who was likely to involve the country in any political complications which could be avoided, but a simple, straightforward soldier, resolved to do his duty in accordance with his instructions, and not disposed to enter into political controversies on his own account. The Government therefore had, in his opinion, done quite right in placing the sole authority in his hands, and having done so, had acted wisely in being guided by his judgment as to the number of men of which the expedition should consist and the course generally which should be taken rather than, resolving themselves into an Aulic Council, to prescribe the conduct of the campaign, for so far as he could learn from experience, Aulic Councils were not apt to win battles.

MR. OSBORNE: I will not stand long between the House and the noble Lord (Viscount Cranborne), to whom there is nobody who would listen with greater pleasure than myself when dealing with a subject on which he is peculiarly well informed. I find it, however, almost impossible, sitting as I do in the vicinity of the hon. Gentleman who has just spoken—who may represent an Aulic Council, but scarcely, I think, a British constituency—to remain silent. I listened at the outset of this discussion to the speech made by the right hon. Gentleman the Secretary for India with great interest. It was a large speech—indeed, it seems to me to have been almost too great in its proportions, because if it means anything it proves too much. It goes to this—that England is about to pay more than her just share of the cost of this expedition, and that India, instead of being called upon to pay only £300,000, ought at least to defray half the expense. According, therefore, to his showing and to that of the right hon. Gentleman the Member for South Lancashire, it is the British and not the Indian taxpayer who has cause to complain. The point is one which, in my opinion, requires to be more narrowly looked into than the House of Commons seem prepared to look into it at the present moment. The right hon. Gentleman the Secretary of State for India made a claim. He said that since the Chinese War we have taken the whole charge of the Indian navy off the hands of the people of India; that since the time of that war they had not paid a shilling for it. If that be the case we are legislating directly against the interest of the British taxpayer, and we are letting off the taxpayers of India a great deal too lightly. This is a question which requires consideration. But what says the hon. Gentleman below me (Mr. Laing) in the extraordinary speech he has just made—and it is not the first extraordinary speech that I have heard from him. He made several appeals, and, lastly, he made an appeal to Providence. But what is his idea of Providence? Why, as well as I can make out, he seemed to think it was decreed by Providence that the British taxpayer ought to pay £3,500,000 in order to do—what? To keep the Bombay army in wind. He said he would not make war for an idea. I do not think he is the man to do anything of the kind; but I am astonished that the great financial Reformer of the age—the representative of the British taxpayer—should come down here to tell the House of Commons that in order to give the young blood of India occupation, and to keep the Bombay army in wind, we should vote £3,500,000. I say, Sir, that if the House is to be persuaded out of its senses into voting money for keeping up our Indian prestige on the one side and keeping the Bombay army in wind on the other, we are abrogating our duties as Members of Parliament and guardians of the public purse. I now understand what was meant by the Secretary of State for India when he talked of the enthusiasm of the Bombay officers. I now understand the whole thing thoroughly. It appears to me that this war has been got up by a clique of officers in Bombay who are distracted with *ennui,* and are anxious for action—as all military men are. I think we ought not to let this thing go on without some discussion. We all know that the blue book gives us very little information. The right hon. Gentleman (Sir Stafford Northcote) has acknowledged to-night, with admirable frankness, that we have nothing but a cartload of rubbish before us. Now, Sir, I do not advise the hon. Member for Cambridge—["No; Brighton"]—well, the hon. Professor from Cambridge—I say I do not advise him to go to a division. The sum is a small one—£300,000; but the principle is a great one; and I confess that I cannot consent even after what I have heard from three such eminent financial authorities—the Secretary of State for India, my right hon. Friend the Member for South Lancashire, and the great financial Reformer who spoke last—to spend the money of the taxpayers of this country on mere wind. After what I have heard from these great financiers, I am not satisfied that India should not contribute more to this war; and therefore, in the face of their declarations, I shall not be able, as I had intended, to give my support to the hon. Member for Brighton. But, Sir, I advise him to move for a Committee on this subject next Session. Before concluding, I must say that I think my right hon. Friend the Member for South Lancashire was rather unfortunate in one allusion which he made to-night. If I understood him rightly, he said that the real parallel to this expedition was the Persian War in 1857. Did I understand him correctly?

Mr. GLADSTONE: I said that the Persian expedition came nearer to this than any other affair of the kind.

Mr. OSBORNE: Will my right hon. Friend carry on the parallel? When that Persian War had been undertaken the hon. and learned Member for Sheffield (Mr. Roebuck) came down here and moved a direct Vote of Censure on the Government for having engaged in it without the sanction of Parliament. What happened on that occasion? The strongest speech made on the side of the minority of 38 who voted for that censure was delivered by the right hon. Gentleman the Member for South Lancashire. Sir, I do not say that I would go as far as that on this occasion. In respect of this miserable war in Abyssinia, it may be said on each side, "Brother, brother, we are both in the wrong;" but, Sir, having said this, I hope this House will keep a strict watch on the money, because I am afraid it is already being wasted. It strikes me that there has been a monstrous waste in the purchase of those mules. [*Laughter.*] Yes, looking through this blue book, I am afraid there has been a monstrous waste, and I fear monstrous waste is occurring elsewhere. But, at all events, I hope the House will henceforward set its face against going to war for prestige, and above all against going to war for the purpose of keeping the Bombay army in wind.

Viscount CRANBORNE: Sir, I experience that difficulty in which a Member of this House often finds himself when another hon. Gentleman steps forward before him in debate. I desired to comment on almost precisely the same points as those so humorously and forcibly dwelt on by my hon. Friend the Member for Nottingham (Mr. Osborne). I wish to protest against the motives for this war which have been assigned in this debate. When my hon. Friend (Mr. Laing) spoke of it as a war for keeping the Bombay army in wind, I suppose he meant that as a joke more than anything else; but we have heard from the beginning of this evening until now a great deal about keeping up our credit and prestige, and of the effect of this expedition on the Nizam of this place and the Natives of that—as if the sole object for which we were going to war with so much reluctance and at so much cost was to produce some impression on the imagination of other people. I think my right hon. Friend the Secretary for India, in his eagerness to convince us that India had a great interest in this war, went so far as to say that if we had no Indian possessions he should doubt whether we ought to have gone to war to rescue the Abyssinian captives or not. I confess it appears to me that if the motives which the Government have assigned for this war are the real ones, or anything like them, it is one of the most wicked wars ever undertaken. I believe that the nation generally consents to go into this war on this very clear and distinct principle—that a person employed on behalf of England to go on a service of danger has while on that service been maltreated and imprisoned, and that, therefore, on every consideration of honour, it is the duty of England to relieve him from his position. Well, when there is a principle of honour in the case, and when, representing our honourable nation, we desire to carry that principle into effect, it seems to me to be a degrading course of proceeding to parade before Europe and the world all those wretched considerations, such as the effect the expedition may have on the minds of populations in this or that part of the East, or what it may do in maintaining for us that mysterious something which we call "prestige." I heard no part of the speech of my hon. Friend the Member for Nottingham with more pleasure than that in which he made an attack on that time-honoured phrase, and I wish that by common consent we could banish from the Parliamentary vocabulary a word which has so unpleasant an etymological connection with deceit. When we say that India has a great interest in this war even upon this low ground of the impression it will produce on other people, let us in justice to the populations of India remember this—that if we did not rescue English Ambassadors or English agents from the hands of barbarous or half-civilized Courts, the effect would be very unfortunate for ourselves. It, no doubt, would be fruitful of evil; but I do not call it an Indian interest. It is as much an Imperial interest as anything that could be named. At all events, the special injustice of the course now about to be pursued consists in this—that when we employ English troops on an Indian duty—as in the case of the mutiny—they are paid for out of the Indian revenues from the moment they land in that country; but when we employ Indian troops on an Imperial duty, we say that India must pay for them. I am not, however, disposed to differ much on this matter from the conclusion of the hon. Member for Nottingham—that the amount we are asked for is small, and it is not worth while calling for a division. If evil there be in the course taken by the Government it is in essence an evil more from the point of view of England than of India. It is perfectly true that India will not be much the poorer for what we are calling upon her to do; but if she will not be much less rich I think she will be less secure. She will have a smaller garrison during the time this war is going on. Well, what is your guarantee that this want of security shall not pass into any real danger? Your guarantee is just this as I understand it. Granted that the Governor General will have power to raise any troops which he may think necessary and charge them to the English Exchequer; but it depends on the character of the Governor General whether that course be one of danger or one of safety. I have such confidence in the stern mould in which the character of Sir John Lawrence has been formed as to feel certain that, regardless of the smiles or of the frowns of any Ministry, if he should think that India needed the raising of more troops he would raise them in a moment. It is not any present danger I fear as resulting from the present step; but, having regard to the future, I do not like India to be looked upon as an English barrack in the Oriental seas from which we may draw any number of troops without paying for them. It is bad for England, because it is always bad for us not to have that check upon the temptation to engage in little wars which can only be controlled by the necessity of paying for them. But it is bad — very bad—for India, because if there were a weak, or a timid, or too facile a Governor General in that country at the time of any similar operation, you might have India seriously denuded of troops in order to suit the Imperial interests, while there would be this precedent to prevent you from censuring any officer who pursued such a course. I think that the precedent of the Persian war, which has been mentioned in this discussion, is applicable in more respects than one; because, if I am not mistaken, at the time the mutiny broke out part of troops which should have been guarding India were absent on that war. Now, that is a warning which we ought to lay to heart. If this garrison which we keep in India is, as all Indian authorities assure us, necessary for maintaining that country in security and peace, that garrison ought not to be rashly diminished. If, on the other hand, it is too large, and India can for any length of time conveniently spare these troops, then the Indian population ought not to be so unnecessarily taxed. My right hon. Friend (Sir Stafford Northcote) says that these troops are only to be withdrawn for a short time. Well, he is a man of sanguine mind and great prophetic powers; but when once the troops get into Abyssinia, no one can say when they will return. I have thought it right to make this protest in order to prevent such a step as the present passing too much without notice, or rather, I should say, with too much of concurrence—taking into consideration the concurrence of such eminent authorities as the present Government and the right hon. Gentleman opposite (Mr. Gladstone). But still, I concur with the hon. Member for Nottingham in expressing a hope that the hon. Member for Brighton (Mr. Fawcett) will not divide the Committee; for whatever criticism we may pass upon the subordinate measures of the Government, there should not seem to be any want of unanimity in the heartiness with which we support the Crown in the action it has taken. We all of us—or at least the mass of us—agree in the thorough justice and necessity of this war; and the more heartily we support the Crown in carrying it out, the more thoroughly will it effect its object.

COLONEL SYKES said, it was useless to argue the question; but he wished to enter his protest after the speech of the noble Lord who has just sat down.

Question put.

The Committee *divided:* — Ayes 198; Noes 23: Majority 175.

Resolution *agreed to;* to be reported *To-morrow.*

METROPOLITAN STREETS ACT (1867) AMENDMENT BILL—[BILL 2.]

(*Mr. Secretary Gathorne Hardy, Sir James Fergusson.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Amendment of Section 6, of 30 & 31 *Vict.* c. 134).

MR. GATHORNE HARDY said, he had considered the objections to the Bill raised by some hon. Members on the second reading, and whether he could not so far meet them as to prevent the Bill operating unfairly. It appeared to him that if the last proviso of the 6th clause of the Act of last Session—that making any space over which the public have the right of way between the footpath and the carriage-way part of the footway—were repealed, and the question of open spaces left to the ordinary law of the country, that would attain the object in view. There would then be no legislation with respect to that particular portion of a street. At the same time, by the discretion he proposed to give to the Commissioner of Police to frame regulations with respect to costermongers, hawkers, and other itinerant traders, they would be fairly protected in their occupation. He hoped the Committee would assent to that mode of dealing with the question. To accomplish it he proposed to add to the clause under consideration words to the effect that so much of the 6th section of the Act of last year as related to the surface of the space intervening between the footway and the carriage-way be repealed. It would then be left open to the Metropolitan Board of Works and others interested to contest, if they thought proper, the question whether the spaces between the footway and the carriage-way should be part of either or not.

Viscount Cranborne

SIR GEORGE BOWYER, on behalf of the costermongers who had not votes, and were therefore the less likely to find supporters in that House than the shopkeepers who had, contended that these people ought to be left out of the Bill altogether. The Bill, however, would still leave them subject to the arbitrary jurisdiction of Sir Richard Mayne out of the City, and Colonel Fraser within it. With all respect to these officers, they would act upon police views rather than free trade principles. He knew there was an antagonism between the shopkeepers and the costermongers; because the costermongers competed with and perhaps undersold shopkeepers. But he supported the principle of free trade in its largest sense, and if the costermongers could sell for a less profit than the shopkeepers, that was public advantage; and itinerant traders, numbering 50,000, exclusive of their families, ought not to be subjected to the discretion of the police. By ruining an humble class of street vendors not only was there the certainty of entailing upon the poor rates heavy additional burdens, but there was also the risk of adding to the numbers of the criminal class. He believed that no legislation on this subject was really needed; the common law gave sufficient powers of dealing with obstructions of the thoroughfare. It was one thing to prevent obstructions to the thoroughfare, and it was quite a different thing to prevent thoroughfares from being used for all legitimate purposes. The Amendment proposed by the Secretary of State dealt only with one portion of the subject—namely, the space between the footpath and the carriage road, and did not touch the case of the costermongers and other itinerant dealers perambulating the streets, who were left entirely at the mercy of the arbitrary and uncontrolled influence of the Commissioner of Police. Being unable, therefore, to acquiesce in the proposal of the right hon. Gentleman, he should certainly divide the House upon the Amendment of which he had given notice, which had for its object to repeal the 6th clause of the Traffic Act of last Session, and thereby to leave the question open for further consideration and for further legislation.

Amendment proposed, in line 6, to leave out from the word "prohibiting" to the end of the Clause, in order to add the words "shall be and is hereby repealed."—(*Sir George Bowyer.*)

MR. AYRTON said, he had no doubt the right hon. Gentleman the Secretary of State desired to meet the question fairly; but he wished to call his attention to the effect of the Government proposal. As far as open spaces were concerned, the question was a very limited one; there were probably not a dozen of such spaces where costermongers assembled, and at most perhaps 200 persons would be affected by the provision under that aspect. But the effect of the proviso at the end of the clause, declaring that every open space in front of a house should be deemed part of the high road, was in fact to deprive householders in every street of the metropolis of control over the open space in front of their own houses. And hence, with the consent and subject to the supervision of the police, costermongers and itinerant traders would be at liberty to carry on their trade, not only in front of any shop, but in front of any dwelling-house, and no proprietor would have any right to interfere. Why should the rights or enjoyment of householders be limited in this way? Nobody wanted these powers vested in the police—nobody asked for them; and if anybody was aggrieved under the former condition of things, he could appeal to the general law of highways for their redress. This Bill was a piece of legislation of a very arbitrary character, and one which ought not to be sanctioned. The only way of dealing satisfactorily with the question was to repeal the clause altogether.

MR. GATHORNE HARDY said, he could not agree with the view taken by the hon. and learned Member for the Tower Hamlets upon this matter. The object of the 6th clause of the Act of last Session was to deal with the cases of shops in front of which goods were exposed for sale to the interruption of the street traffic; but it was found that as the clause was worded it would not only apply to these shops but would interfere injuriously with a very large number of itinerant traders, who in many parts of London did not put down stalls but baskets, and with whose trade it was not intended to interfere. Under the previous Act these itinerant traders were allowed to place their stalls and barrows in streets where no inconvenience would result to the public; but according to the Act passed last Session, the police would be obliged to remove these barrows; and thus a large number of small traders would be deprived of their livelihood, and the public would not be benefited. It was to be borne in mind that there were many ways by which the costermonger could sell his goods upon the street. The Metropolitan Police Act gave powers to the police to interfere and remove the barrows from the thoroughfares if the owners "wilfully" obstructed the traffic. So far from the protection which this police-power gave to the public being considered sufficient, complaints were continually pouring into the Home Office during the reign of his predecessor (Sir George Grey), calling upon him to adopt more stringent means to abate the nuisance arising from the costermongers. Now, what did the small Bill which he (Mr. Gathorne Hardy) had introduced this Session propose to do? It merely proposed to give the Commissioner of Police more discretion than formerly in dealing with the matter. The hon. Baronet the Member for Dundalk (Sir George Bowyer) complained that this would be giving too much power to one man; but it was to be remembered that the Commissioner of Police was directly responsible to the Home Secretary; and hon. Members would have ample opportunities of calling attention to any regulations which they might think interfered with the convenience or the rights of the public. The Bill now before the House would undoubtedly vest increased discretion in the hands of the Commissioner of Police; but it was to be presumed that he would exercise that discretion so as to promote the convenience instead of the inconvenience of the public. The persons to be affected by the Bill had come before him and stated their case; but they did not object to be regulated by the police. What they objected to was being absolutely prohibited from selling their goods upon the streets, and the being brought into collision with the police or the small shopkeepers, who might be induced to injure them through jealousy. He had regarded the question as simply one of traffic, and that being so, it was proper that it should be placed in the hands of the Commissioner of Police, in order that he who regulated the whole traffic of the metropolis should also enforce regulations which, while giving every proper liberty to the itinerant traders, should prevent them causing inconvenience to the public. He (Mr. Gathorne Hardy) had no desire to put a burden upon the costermongers which was improper. He believed that there were more than 50,000 of these people who were dependent upon their earnings in the streets, and to forbid them to follow it would bring upon the metropolis far greater evils than those which were caused by this traffic; but there could be no harm in giving the Inspector of Police discretion which should enable him to prevent complaints such as had been made so numerously to the Home Office. He hoped the House would agree to the proposal contained in the Bill.

Mr. LOCKE said, he thought great inconvenience would result from adopting the proposal of the Government. If any costermonger wilfully obstructed the traffic, the police, under the law as it stood, had the right to move him on. What more was wanted? The law was much better as it stood than it would be with this alteration, which would impose upon the Chief Commissioner of Police the necessity of marking out spaces to be occupied by these itinerant dealers, whether other persons liked it or not. It would be better to adopt the course suggested by his hon. Friend, and to repeal the 6th clause altogether.

Mr. BENTINCK said, he could not help noticing that if any measure were proposed for reforming municipal institutions, it was never so heartily opposed as by the metropolitan Members. That had been the case with a measure which he had brought forward with regard to street music—a measure opposed by, among others, the hon. Baronet (Sir George Bowyer), who lived in the Temple, and was spared any annoyance of that description. The present law which empowered the police to interfere when costermongers "wilfully" obstructed the traffic, was not sufficient, for what construction was to be put upon the word "wilfully?" There was a necessity for the costermongers' traffic being better regulated than under the former law, and he thought the present Bill afforded the means of doing so. He thought the measure now proposed a reasonable one, and hoped the Committee would adopt it.

Sir ROUNDELL PALMER said, that according to the right hon. Gentleman the Home Secretary, the 6th clause of the Act of last year was not intended to apply to costermongers and street hawkers. But the present Bill did not bring the law into conformity with that explanation of the purpose of the Act of last Session, but took advantage of the opportunity to place the costermongers entirely under the regulation and control of the police. Now the provisions of the Police Act gave the police sufficient power to interfere when there were wilful obstructions in the streets. In passing through streets frequented by these itinerant traders, he had been often interested in observing at once the total absence of disorder and the immense convenience which this trade appeared to be to a large number of poor persons. Would it be right to put the whole power of controlling such a trade into the hands of the police? As the Bill proposed to put into the hands of the Commissioner of Police a power which might be seriously abused, he would vote for the Amendment.

Mr. Gathorne Hardy

Mr. DAVENPORT-BROMLEY asserted, from personal knowledge, that the police were not safe persons to be intrusted with discretionary powers in matters such as the Bill dealt with. In Westminster the police inflicted great hardships on the costermongers, who were the camp followers of the poor, supplying them with food at the lowest possible rate; indeed, it was hard to say what the poor would do without the costermonger at this time of year. As an unrepresented class, their interests should be carefully watched by the House; and he would remind the Home Secretary that there were such things as custom and vested rights, and that costermongers had for many years enjoyed certain rights of a much more substantial character than could be claimed for those processions which had passed through the London streets of late, and he hoped the right hon. Gentleman would see that they were not harshly treated.

Mr. LABOUCHERE said, that all the Representatives of the metropolis were united in hoping that the 6th clause of last Session's Act would be repealed. He thought the advantage of repealing the clause over the plan of the right hon. Gentleman was obvious. It would restore the law to what it was; and then if a householder did not object he might have a costermonger before his door; but if he did object he might have the costermonger removed.

Mr. GATHORNE HARDY said, that if the 6th clause were repealed he should withdraw the Bill. It seemed to be overlooked that the clause did not apply to costermongers only, but to all persons who placed goods on the street for sale, and thereby created a great hindrance to the public; and he could not help seeing that the interest which had been so suddenly displayed in behalf of the costermonger really arose from a desire to relieve the shopkeepers from a clause which inconvenienced them. The object of this Bill was not to regulate the business of costermongers, but to declare that the Act of last Session should not apply to them as long as they carried on their business in accordance with the rules of the police.

Sir GEORGE BOWYER said, that was not an accurate description of the Bill, because it gave uncontrolled power to the Commissioner of Police to make any regulations he pleased with regard to the trading of costermongers. The Bill of last Session was evidently a mistake on this point; it did what the Legislature never intended, and the proper remedy was to bring things back to the state in which they were before the Act was passed.

Colonel KNOX said, that some regulations were absolutely necessary. The greatest complaints had been made by the Press and the public about the obstructions in our streets; but the moment an attempt was made to put things in order, up started the metropolitan Members and opposed it. It was almost impossible sometimes to get through the crowded streets. It was plain that somebody must be intrusted with power to make regulations, and he knew no better person to whom the duty could be committed than the Commissioner of Police, under the control of the Secretary of State. He hoped the Committee would support the right hon. Gentleman in carrying this clause, which was simply intended to remedy an oversight.

Mr. AYRTON said, what the metropolitan Members were anxious about was that the legislation for the metropolis should not be crude and irrational. The material point was this:—There was a clause in the Act of Parliament which all admitted to be wrong; but the provision proposed by the Government was not a clear one. He quite concurred with the principle of the clause, that a tradesman should not avail himself of the privilege of loading or unloading his goods on the footway for the purpose of exposing his goods for sale. There was already a provision to deal with such cases. To pass a particular clause entitling costermongers to a privilege not possessed by others would be unjust. He was content to leave the matter under the general police law against obstructions. The simple mode of dealing with the matter was to repeal this clause and bring up a new one.

Mr. CANDLISH said, it was generally admitted that there was much good in the 6th clause of the Bill of last year; it would not be wise therefore to repeal it. What he would suggest was simply that the two lines which related to street hawkers and itinerant traders should be struck out. This would leave those persons precisely where they were before the passing of the Act of last Session, while all that was good in the clause would then be retained.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes [63]; Noes 30: Majority 33.

Mr. GOSCHEN asked, whether the Home Secretary would consent to introduce a provision requiring the regulations framed by the police authorities to be laid before Parliament?

Mr. GATHORNE HARDY replied, that this would be unnecessary, since Parliament would always have a check upon them.

Sir GEORGE BOWYER contended that the regulations should be subject to appeal to the Home Secretary, and should be laid before Parliament.

Mr. Alderman SALOMONS said, a notion prevailed that costermongers would not be able to carry on their business without a license.

Mr. GATHORNE HARDY said, he had never heard of any such notion. On submitting the Bill to the friends of the costermongers they did not offer a single objection to it.

Clause *agreed to.*

Clause 2 (Regulations as to Lamps to Hackney Carriages).

Mr. Alderman LAWRENCE proposed an additional clause repealing the 17th and 26th sections of the Act of last Session, being the clauses which referred to hackney carriages. These sections required cabs to be provided with a lamp at night, and fixed 1*s.* as the lowest fare for a cab hired from a standing. Since the Act of 1853 the prices of horses, provender, stabling, and harness had largely increased, and it was therefore unfair to require the cabowners to provide lamps, which it was estimated would cost £7 a year. His object was to have the whole cab question taken into consideration by the Home Secretary and a comprehensive measure passed. Throughout England and Scotland, with the exception of London, the tax paid for one cab was £5 per annum, and for fifty cabs £170 per annum; while in London the amount levied for one cab was £19 5*s.* per annum, and for fifty cabs £962 10*s.* per annum. Sir Richard Mayne had admitted the fact that the London cabs were the cheapest in the country, and yet the Legislature imposed a higher tax upon them than upon any others. The London cab proprietors were at the present moment starving each other out of existence, and it was not now the fitting time to impose upon them fresh charges and fresh duties. They had to compete with the "Underground" Railway, with omnibuses, and steamboats, and were yet more heavily taxed than any of the three. As an instance of the public spirit of the cab drivers, an instance which showed that they were deserving of better treatment, he need only mention the fact that during the snow of last winter, when all the omnibuses ceased to run, the cabs were at the service of the public.

Moved, To insert the following Clause:—("Repeal of Sections 17 and 26 of 'The Metropolitan Streets Act, 1867.'") Sections seventeen and twenty-six of the Act 30th & 31st Victoria, c. 134, shall be and are hereby repealed."—(*Mr. Alderman Lawrence.*)

SIR JAMES FERGUSSON reminded the House that they were not now engaged in legislating on the subject of cabs. The House last Session determined upon the postponement of the question relating to fares, and retained only those clauses in the Bill which facilitated the traffic of the metropolis, and it was shown that the absence of lamps in the cabs had occasioned many of the accidents which had occurred in the streets of London. It was last Session considered necessary for the safety of the public that the street cabs should carry a lamp; and one cab proprietor said that this was also desirable for the safety of the vehicles. He therefore hoped the Committee would not consent to repeal these clauses. There had been a great deal of exaggeration as to the cost of one lamp. He was informed it might be burned for 1*d.* a night; and this was not a great expense when it was considered that the cabs received by the same Act a great boon, in obtaining 1*s.* for the first mile when they were called off the rank. The Hansom cabs used always to carry a lamp, and he hoped the drivers would restore it.

MR. LOCKE said, that a maker of cabs told him there was no place to put a light in a four-wheeled cab. The dash-board had been suggested, but there it came in contact with the horse's tail. It could not be put under the cab. If it were placed in front of the window it would not be seen for the driver; and if it were put on the top it was in the way of the luggage on the roof. The lamp was thus not only a great expense, but a great inconvenience. The taxation on the London cabdrivers and proprietors was enormous—higher, indeed, than upon any other class of tradespeople in this country. The Legislature did not call upon omnibuses, waggons, or any other description of vehicles to carry a lamp, and why should cabs be an exception? He hoped the Committee would strike out the 17th clause.

MR. GATHORNE HARDY said, that the 17th clause contained a great deal more than the regulation about the lamp. It authorized the Commissioners of Police to affix a plate or mark to show that a hackney-carriage was in a condition for public use, and to remove such plate when necessary.

MR. ALDERMAN LAWRENCE assured the right hon. Gentleman that the Commissioner of Police had the power to remove the plate independently of this clause.

Motion *negatived.*

Colonel TAYLOR and Mr. LOCKE, two of the Tellers in the last Division, having come to the Table, acquainted the Chairman that they had by mistake reported the numbers of the Ayes as 63, instead of 73.

Ordered, That the said numbers be corrected accordingly.

Bill *reported;* as amended, to be considered *To-morrow.*

GRAND JURY CESS (IRELAND) BILL.

On Motion of Mr. STACPOOLE, Bill to provide for the apportionment of Grand Jury Cess between Landlord and Tenant in Ireland, *ordered* to be brought in by Mr. STACPOOLE, Mr. CORBALLY, and The O'CONOR DON.

Bill *presented,* and read the first time. [Bill 14.]

SALE OF LIQUORS ON SUNDAY BILL.

On Motion of Mr. JOHN ABEL SMITH, Bill for further regulating the Sale of fermented and distilled Liquors on Sunday in England and Wales, *ordered* to be brought in by Mr. JOHN ABEL SMITH, Mr. BAZLEY, and Mr. BAINES.

Bill *presented,* and read the first time. [Bill 12.]

COMPULSORY CHURCH RATES ABOLITION BILL.

On Motion of Mr. GLADSTONE, Bill for the abolition of Compulsory Church Rates, *ordered* to be brought in by Mr. GLADSTONE, Sir GEORGE GREY, and Sir ROUNDELL PALMER.

Bill *presented*, and read the first time. [Bill 13.]

BANK HOLIDAYS BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to amend the Law relating to the payment of Bills of Exchange and Promissory Notes falling due on Bank Holidays, and to render the day after Christmas Day a Bank Holiday, and also any other day that may be appointed to be observed as such by Royal Proclamation, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Mr. STACPOOLE.

Bill *presented*, and read the first time. [Bill 15.]

House adjourned at a quarter before One o'clock.

HOUSE OF COMMONS,

Friday, November 29, 1867.

MINUTES.] — NEW MEMBER SWORN — Jacob Bright, esquire [Affirmation], *for* Manchester.

WAYS AND MEANS—*Resolutions* [November 28] *reported*—Income Tax; Consolidated Fund.

PUBLIC BILLS—*Ordered*—Income Tax*; Consolidated Fund (£2,000,000)*; Local Officers Superannuation (Ireland)*; Religious, &c. Buildings (Sites)*; Life Policies Nomination.*

First Reading—Local Officers Superannuation (Ireland)* [17]; Religious, &c. Buildings (Sites)* [18]; Life Policies Nomination* [19]; Income Tax * [16]; Consolidated Fund (£2,000,000).*

Second Reading—East London Museum Site* [7].

Referred to Select Committee—East London Museum Site * [7].

Report of Select Committee—East London Museum Site* [7].

Committee—Sales of Reversions * [8].

Report—Sales of Reversions* [8].

Considered as amended—Metropolitan Streets Act (1867) Amendment * [2].

NEW COURTS OF JUSTICE.

QUESTION.

MR. BERESFORD HOPE asked the Secretary to the Treasury, Whether the Treasury has arrived at any determination as to the appointment of architect for the new Courts of Justice, and whether he will object to state that determination to the House?

MR. HUNT answered, that the Treasury had not arrived at any determination at present. The circumstances of the case were as follows:—The Act of Parliament directed that the plans should be determined upon by the Treasury with the advice and concurrence of the Commissioners. Before the change of Government the late Treasury thought that the best way of arriving at the concurrence of the Commissioners was to join with them in the appointment of a Committee of Judges of Design. The Commissioners accordingly appointed certain Members of that Committee of Judges and the Treasury appointed others. Shortly before the House adjourned for the Recess the Treasury received a communication from those gentlemen, stating that they had been unable to arrive at a decision that any one design was the best, and that they therefore had arrived at the conclusion that two gentlemen ought to be appointed to prepare a final plan jointly. The reply of the Treasury was to the effect that a communication of that kind was not such an award as the Treasury expected the Judges would have made, and the matter was referred back to them in the hope that they would agree upon some one architect. Only yesterday a further reply was received from the Judges of Design, stating that they adhered to their original recommendation. Under these circumstances, the Treasury proposed to do what the Act of Parliament laid down, and to seek the advice of the Commissioners. As soon as any course had been determined upon he should be most happy, if his hon. Friend would put a Question on the subject, to give him any further information in his power.

POST OFFICE—CUNARD MAIL CONTRACT.—QUESTION.

MR. MAGUIRE asked the Secretary to the Treasury, Whether it is true that when the Cunard Contract ceases, at the end of this year, no arrangement has been made whereby the steamers of that Company will call at Queenstown?

MR. HUNT said, he had already made a statement to the House with regard to the arrangement to be made with the Cunard Company at the termination of their present contract. That arrangement, as he had stated, had not yet taken a formal shape, and was at present only a verbal one. The arrangement was that there should be a weekly service to New York for one year, the steamers calling at Queenstown, as at present.

FORESHORES AND BED OF THE SEA.

QUESTION.

Mr. COLERIDGE asked the Vice President of the Board of Trade, Whether he will lay upon the table of the House a Memorandum as to the dealing with the Foreshores and Bed of the Sea by the Board of Trade, drawn up for the use of the Board in December, 1866?

Mr. STEPHEN CAVE said, he had already laid on the table Copy of Memorandum as to Board of Trade's dealings with Foreshores and Bed of the Sea.—[*Parl. Papers*, No. 18.]

CATTLE PLAGUE—OUTBREAK IN BERWICKSHIRE.—QUESTION.

Mr. M'LAGAN asked the Vice President of the Committee of Council, Whether he has received any official Report of an outbreak of disease among cattle in Berwickshire, said to be Rinderpest; and, if so, whether he has any objections to state the substance of that Report, and whether the Privy Council intend to take any steps in the matter?

Lord ROBERT MONTAGU said, that the Reports received on the subject were rather conflicting. On the 18th instant, information was received from the local inspector stating that cattle plague existed at Langrigg, near Dunse, in Berwickshire, and that the place had been provisionally declared to be infected. Particulars were at once telegraphed for, and late in the evening of the 20th another communication was received from the local inspector to the effect that of a herd of thirty beasts five were dead and the rest in good health. On a consideration of all the particulars, the Government Inspectors arrived at the conclusion that the disease was not cattle plague; but, at the same time, it was thought proper to send down by telegraph permission to the local authorities to disinter the carcasses of the animals, in order that they might be inspected by Edinburgh veterinary surgeons. The local authorities, however, seem to have come to the decision that the disease was not cattle plague, and the bodies were not disinterred. On the 22nd, late in the evening, another telegram was received, announcing that another case had occurred. Professor Simonds was at once sent down to examine the bodies of the animals; and after having examined four of the carcasses he telegraped on the 25th, confirming the opinion which he had previously expressed as to the disease not being cattle plague. Another telegram confirmatory of that opinion was received from Professor Simonds on the following day, and on the 28th he handed in this Report—

> "I am of opinion that the animals are not the subjects of plague, but of the disease known as gastro-enteritis, or enteric fever. This disease owes its origin to common causes, not to special or specific ones, as the cattle plague; and such causes, I consider, have been in full operation in the present instance."

He felt confident, therefore, that the disease was not cattle plague.

ABYSSINIAN EXPEDITION—RETURN OF MERCHANT SHIPS.

QUESTION.

Mr. YOUNG asked the First Lord of the Admiralty, Whether he has any objection to lay upon the table of the House the list and name of every Merchant Ship engaged in the Abyssinian Expedition, with the net and gross register tonnage of each Ship; also the horse-power of each engine; also the price per ton each Ship is chartered at; also the names of each registered owners of such Ship as appeared upon the Register when the Ship was tendered to the Government for hire and the name of each owner as he now stands on the Register, with the name of the broker who tendered such Ship; and if a Member of this House can participate in any of the profits, directly or indirectly, of that Expedition?

Mr. CORRY said, he had no objection to lay upon the table of the House the Return asked for by the hon. Gentleman, as far as the Admiralty could furnish it. Information could be given respecting the eighteen ships taken up by the Admiralty here; but he did not know how many had been taken up at Bombay. As to the last part of the Question, he could only say that no Member of that House could enter into a contract with the Government without forfeiting his seat.

ARMY—CONVEYANCE OF TROOPS—DETENTION OF SOLDIERS' BAGGAGE.

QUESTION.

Mr. CHILDERS asked the Secretary of State for War, Whether it is true that the baggage of the regiment which landed at Portsmouth on Saturday last from the *Crocodile* was not delivered at Plymouth till Wednesday, being four days after the arrival of the regiment at the latter garrison?

Sir JOHN PAKINGTON: In consequence of what fell from my hon. Friend last night on this subject, I telegraphed for information; but as I have not yet received a reply, perhaps my hon. Friend will repeat his Question on Monday.

Afterwards—

Sir JOHN PAKINGTON said, he could now answer the Question. In reply to his inquiry he had received the following statement:—

"The 2nd Battalion of the Rifle Brigade arrived at Portsmouth in the *Crocodile* on the 22nd instant, and the baggage of the battalion was loaded on the railway trucks on the afternoon and evening of that day, and was from that time in the hands of the railway authorities, ready to be forwarded to Plymouth that night. The first delivery of baggage at Devonport took place on the 27th inst., and the second on the following day. The delay rested entirely with the railway authorities, and Messrs. Pickford and Co. were responsible—the conveyance of the baggage having been a regimental arrangement with that firm."

THE HURRICANE IN THE WEST INDIES.—QUESTION.

Mr. BAILLIE COCHRANE asked, Whether it is the intention of the Government to propose any grant for the relief of the sufferers by the late terrible disasters in the West Indies?

Mr. ADDERLEY said, that the Government had taken measures to relieve the immediate distress at Tortola, and one of Her Majesty's ships had been sent from the North American Station to the Island to give assistance. They also proposed to repair the pier and public buildings which had been destroyed at Tortola, and the labour thus employed would indirectly benefit some of the sufferers; but the Government had not decided as to giving any further relief from the public funds. He might remark that very large private subscriptions were being raised in this country, and he trusted that they would be amply sufficient to supply the wants of the sufferers by the late storm, in regard to food, clothing, and the re-building of private houses. The destruction was such as to destroy the chief sources of revenue in the Island for at least a year.

ABYSSINIAN EXPEDITION—THE DEBATE OF TUESDAY.—EXPLANATION.

Mr. NEWDEGATE: I rise to appeal to the House in reference to a case of personal injury which is likely to ensue upon matters connected with some of the proceedings of this House. I throw myself entirely on the indulgence of the House. The case is this:—On Tuesday night the hon. Member for Southwark (Mr. Layard), who was Under Secretary of State for Foreign Affairs in the late Government, stated in his place, amongst other things, that Dr. Beke, the eminent traveller, who has contributed alike to the information of the public and the Government, had, in a work which he had published, positively stated that Mr. Rassam, Her Majesty's Envoy, who is at present a captive in the hands of King Theodore, had misappropriated the public money. Now, this is a specific charge against Dr. Beke. I was not in the House when this statement was attributed to Dr. Beke. I happened not to be in my place on Tuesday; but yesterday Dr. Beke wrote to me to state—

Mr. SPEAKER: The hon. Member cannot give statements and comments of other individuals on debates in this House.

Mr. NEWDEGATE: I was not going to make any further statement than this—I was going to say that Dr. Beke found that this statement was doing him a personal injury. ["Order!"]

Mr. SPEAKER: The hon. Member is not in Order in introducing in this House any comments by other individuals upon the debates which have taken place in this House. In the first place, the debate is past, and reference to a past debate is itself not regular. The House, I dare say, will permit the hon. Member to state shortly anything that he knows of his own knowledge; but he must conform himself to the rules of the House.

Mr. NEWDEGATE: I am very unwilling to move the adjournment of the House.

Mr. SPEAKER: That would not make the slightest difference.

Mr. NEWDEGATE: I am perfectly aware that I am asking the House to allow me to make a statement which is not regular, and which would not be permitted except in a case where personal injury is likely to arise out of the proceedings of this House. I am aware of the rules of the House, or I should not make the appeal. I wish merely to be allowed to state of my own knowledge that Dr. Beke's book directly contradicts the allegation which has been attributed to him, that Mr. Rassam has been guilty of misappropriation or peculation of public money. This is a matter which affects two persons, one of whom is in a very critical position. Mr. Rassam wrote a despatch on the 22nd of March, 1866, of which an abstract has appeared in a Bombay paper and also in *The Jewish Chronicle* in this country, giving an account of his interview with King Theodore; but that despatch is not before the House. In that despatch Mr. Rassam gives an account of an interview with King Theodore.

Mr. CHILDERS: I rise to Order, and I do so on grounds that will commend themselves to every hon. Member of the House. The hon. Member for North Warwickshire is complaining of words used in a debate by the hon. Member for Southwark. I will only ask him whether he has given notice to the hon. Member for Southwark that he was about to bring the subject forward? because if he has not, I am sure the hon. Member will agree with me that the subject had better be postponed.

Mr. NEWDEGATE: I will answer the hon. Member at once. If I had not written to the hon. Member for Southwark I should not have felt justified in bringing this matter, as I have done, before the House. I waited till this morning, because Dr. Beke had written a letter to *The Times* to defend himself. But it did not appear; and I immediately wrote a letter to the hon. Member for Southwark, which I sent by my own servant; and the answer I received was that the hon. Member for Southwark had left London, and would not return for ten days. Now, the personal injury complained of is the circulation of this statement on the authority of a late official; and is this to go on for ten days? I think this ought not to pass without my being permitted to show to the House from the writings of Dr. Beke himself that the statement is without foundation. In the despatch of the 22nd of March, 1866, this passage occurs:—

> "Next day (4th February) the King had much conversation with Mr. Rassam, and ended by telling him that he proposed to send him to Korata, allowing him to choose whether he would stay at Korata or at Debra Tabor till the prisoners arrived; and after he retired to his tent he sent Mr. Rassam a most polite note, informing him that he had sent him some guns and pistols, and also 5,000 German crowns (Austrian specie-dollars of A.D. 1780) to spend in any manner he wished, 'except in a way displeasing to God.' These presents Mr. Rassam was obliged to accept, as he was told that it would displease the King if he refused them. Twice afterwards the King gave Mr. Rassam a present of 5,000 dollars, for the same purpose and with the same admonition."

This is an extract from the despatch printed in page 200 of Dr. Beke's book—*The British Captives in Abyssinia.* The extract adds—

> "In the letter from Mr. Rassam to Colonel Playfair, read at the meeting of the Royal Geographical Society, to which allusion has already been made, it is stated that the Emperor 'insisted on Mr. Rassam's acceptance of 10,000 dollars for his expenses, which our Envoy at first refused, but found it politic to accept, and credit the sum to Her Majesty's Government."

That is the point. And there is a note at the bottom of the page upon that fact, and this is the note—

> "I feel myself, however, called upon to remark that when Mr. Rassam so complacently vaunted the excessive humility of the Emperor Theodore towards the Queen of England, and this having (as reported in *The Times* of the 29th of June last) 'insisted on Mr. Rassam's acceptance of 10,000 dollars' (Mr. Rassam himself now says 15,000 dollars in all) 'for his expenses, which our Envoy at first refused, but found it politic to accept, and credit the sum to Her Majesty' Government,' he can hardly have contemplated that such a gift was intended as a *mamáladja*, which in Isenberg's Amharic Dictionary is defined as a 'present presented by an inferior person to a superior,' and for which the donor expects in return not merely an equivalent, but something of very much greater value. So conscious was I of this usage in Abyssinia, that never during my long residence in that country would I, under any pretence, accept a present from an inferior without first understanding what I was to give in return; and whenever I asked a favour of a superior, I first presented my *mamáladja*. It was not without a motive, then, that the Emperor Theodore lowered himself so exceedingly before Her Britanic Majesty in the person of her representative; and the question put hypothetically on the 27th of April has now become a sad reality."

The main text of the work thus continues in page 200—

> "For the reasons already stated in *The Times* of July 6, 1866, I cannot but think it to have been most impolitic to accept any such present. When Consul Plowden was offered by the same monarch 'some hundred dollars for the expenses of his journey,' he replied, 'that as for the money he could not receive it, as he was paid by his own Sovereign;' at which Theodore does not appear to have taken offence; but, on the contrary, spoke to Mr. Plowden 'in the most affectionate manner,' and 'gave orders for his honourable reception everywhere as far as Massowah.' And, besides, there really does not seem to have been any means of spending the money in a legitimate manner—in a way not displeasing to God; for the Emperor would not allow Mr. Rassam to make presents, and himself supplied the mission with all they stood in need of. According to that gentleman's letter to Colonel Playfair, 'The Emperor's orders to supply Mr. Rassam with provisions and carriage free of expense on his way to the court were carried out to the letter; everything was provided on the road on the most liberal scale. Sometimes their daily rations reached as high as 1,000 loaves of bread, 2 cows, 20 fowls, 500 eggs, 10 jars of milk, 10 of honey, &c.' It is not at all clear, therefore, what Mr. Rassam

could do with these 15,000 dollars, except take them on with him wherever he went; and half a ton of silver (for they weigh nearly as much) is no trifle to carry about in a country like Abyssinia. In addition to this, it may be presumed that Mr. Rassam had already the 15,000 dollars from Aden, to which allusion was made in the last chapter, in addition to money for his ordinary expenses."

I think the House will see at once that there is not the least foundation for accusing Dr. Beke of making statements in his book to the effect that Mr. Rassam had peculated or misappropriated public money. He has stated nothing of the kind. And perhaps the House will now allow me to read the terms used by the hon. Member for Southwark, as reported in *The Times* newspaper, by which Dr. Beke complains he is injured.

MR. SPEAKER: The House has offered the hon. Member great facilities for explanation, and will hear any explanation from himself; but it will be irregular to read a letter from another gentleman commenting on a statement made in this House.

MR. NEWDEGATE: I am not going to do so. I was going to read the words in which the charge was made by the hon. Member for Southwark—

> "With regard to Dr. Beke, he ventured to say that any person who should have employed him would have been guilty of a gross misappropriation of public funds, and he was glad that the Government had refused the services of that most mischievous man. If Dr. Beke had only slandered him, he would not have noticed the matter; but when he had published a book, which was quoted by hon. Members, he must say that a more mendacious book had never appeared. From beginning to end it was one tissue of falsehoods and mistakes. He would mention two accusations which that man made, because they were made against a gentleman in the public service, and who was not in this country. In one passage Dr. Beke insinuated that Mr. Rassam misappropriated public money, but he only wished that Dr. Beke could give as good an account of the money intrusted to him for his mission to Abyssinia. In another passage Dr. Beke charged Mr. Rassam with cowardice, for he said if Mr. Rassam had consented to remain as hostage in Abyssinia he might have obtained the release of all the captives. That statement was without foundation. Mr. Rassam was charged with cowardice because he remained with the Queen's letter at Massowah, but there were reasons of a strong nature which induced him not to go up to the King."—[*The Times' Report.*]

I repeat, Sir, that I was not in my place when the hon. Member for Southwark spoke; but I have consulted other Members who were present, and their opinion is that the expressions I have quoted exceed the fair limits of debate. I have now accomplished that which I undertook, by placing before the House this contradiction on the part of a gentleman whom I have known for many years, and who to my knowledge has, since 1851, addressed himself on the affairs of Abyssinia to successive Governments, with a full knowledge of the subject, having been himself one of the most distinguished African travellers, and holding the gold medal of the Geographical Society of England, and having once held that of the Geographical Society of France, though he has since returned it. In 1859 and 1860 I received from Dr. Beke letters with intelligence threatening the disaster which we now have to encounter. I took these to Lord Palmerston, considering that they contained matter of public importance; and one of these letters, I should add, contained a proposal for the employment of Dr. Beke himself; it was written just before the murder of Mr. Consul Plowden, when it was understood that he was about to relinquish the Consulate. Lord Palmerston received me most courteously, referred me to Earl Russell, who saw me twice on the subject; but eventually the noble Earl preferred Mr. Cameron to Dr. Beke. Well, that appointment has not been fortunate; and this the hon. Member for Southwark himself admits. I think that it is not worthy of any hon. Member of this House to bring accusations that cannot be proved against a gentleman, like Dr. Beke, of high attainments, who, as I can tell the House of my own knowledge, has for fifteen or sixteen years brought the whole weight of his acquirements to bear upon the affairs of Abyssinia—a subject little understood at home—and who, by these exertions for the public service, has injured his own personal prospects.

MR. DARBY GRIFFITH desired to know from the Chair, whether he should have been justified in moving that the words of the hon. Member for Southwark in reference to Dr. Beke should be taken down? When he heard the language of the hon. Member he was strongly tempted to make a Motion to that effect. But he was in doubt whether he should have been in order, as the words did not refer to any Member of the House.

MR. SPEAKER: The matter in question occurred in Committee. I was not present myself, and am not cognizant of what took place. A point of order such as that to which the hon. Member refers should be addressed at once to the Chairman, and cannot be questioned on a subsequent occasion,

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SALMON FISHERIES IN THE SOLWAY.

QUESTION.

Mr. PERCY WYNDHAM asked the Secretary for the Home Department, If the Government will bring in a Bill to amend the Laws affecting the Salmon Fisheries in the Solway Frith? Up to a comparatively recent period the whole of the waters in the Frith were under one law, though part was in England and the other part in Scotland. The fishery legislation of 1861-2 had, however, introduced a different state of things, which was productive of great injury to the fishery. Two attempts had been made to rectify the evil, and had failed only through accident.

Mr. GATHORNE HARDY regretted that, not having been able to communicate with the Lord Advocate, who just now was very much engaged elsewhere, he could not give a definite answer to the Question. It certainly seemed to him that a great injustice existed at present, as on the English side a proper examination of the nets and fisheries had taken place, whereas no such examination was provided for the Scotch shore; and it might very well be that nets were in use on the Scotch shore which inflicted injury on the fisheries on both shores. The use of nets ought to be placed on the same footing on both sides of the Solway, and he would consult the Lord Advocate upon this point.

Lord HOTHAM said, that the result of the inquiries of the Fishery Commissioners and their recommendations had, he believed, been extremely beneficial. The production of salmon and the rents of the fisheries had been thereby largely increased. This being so, ought not those who benefited from these inquiries, and the Acts passed in consequence, to pay for them? If any persons asked for an inclosure or a Drainage Act, the expense was defrayed by a rate on the property benefited. Why, then, were persons who had no connection with salmon rivers to pay for that which only filled the pockets of the owners of these waters?

ARTILLERY—CONVERSION OF GUNS—THE SEVEN-INCH GUNS.

OBSERVATIONS.

Major ANSON rose to call the attention of the House to the relative cost of the Woolwich 7-inch Gun and the converted 7-inch Gun, as given on the 13th August, in the last Session of Parliament, by the Secretary for War. He had, however, first to thank his right hon. Friend for the frank manner in which he had met all inquiries on this subject. He (Major Anson) stated last Session that the cost of the Woolwich gun was about £425, while the converted gun was made for under £200. Much to his astonishment the Secretary for War made out in his reply that, so far from the difference in the cost of the two guns being £220, it only amounted to £140. Now, in arriving at these figures, the Secretary for War gave the price of the Woolwich gun manufactured in the Royal Gun Factories at £405, which was the actual sum that the House would be asked to vote in order to make a new gun at Woolwich; while the right hon. Gentleman gave the cost of the converted gun at manufacturers' prices—the contract price. This was not a fair comparison. If it had been determined to give the contract prices for these guns it ought to have been stated that such was the case. But not satisfied with haying given the contract prices for these guns, he mentioned only the very highest estimate that had been sent in. He (Major Anson) would read to the House the estimates of Major Palliser for his guns. For the A pattern gun it was £238; for the B pattern £25 less, or £213; and since then he had produced a 7-inch gun for £195, thus reducing the estimate by £18. He (Major Anson) had no wish that in the answer given to him the lowest estimate should be stated; he would have been content with the medium price; and he thought that the estimates sent in by Major Palliser should, in justice to him, have been stated to the House. The right hon. Gentleman gave the estimate as £263, whereas the highest estimate of Major Palliser was £238. In this way £25 was put on, which was about the value of the gun sent to be converted. He need hardly point out that if the exact price of the Woolwich gun was given, the exact price in the other case should have been given also. But that was not all. He found now that the £405 which had been quoted as the price of the Woolwich gun was not the price of that gun at all. It was the price of an imaginary gun. Only two of the Woolwich guns had been made with a wrought-iron barrel, and both had failed. The actual service 7-inch gun was made with a steel barrel, and cost £264, which was the price that ought to have been stated in the House in answer to him. He need hardly point out to the House the object of putting the Palliser gun in a point of view as unfavourable as possible, and, on the contrary, placing the Woolwich gun in the most favourable light. The subject was one well worthy of the attention of the House. If he (Major Anson) seemed to have been somewhat particular in bringing the matter under the notice of the House, his excuse was that he was convinced that the manufacturing establishments of this country, as at present constituted, wielded a power capable of crushing almost every man who attempted to improve and cheapen our warlike stores; and if inventors could not get justice at the hands of these establishments, it was all the more necessary that the truth should be stated in that House. Before he sat down there was one question which he wished to ask the right hon. Gentleman. It might be in the recollection of the House that there was a lighter gun, the 32-pounder converted into a 64-pounder, with reference to which the right hon. Gentleman had said that he had been reminded that the Admiralty had ordered a further supply of the smaller converted gun, and in the conversion of that gun it was intended to proceed. Now, he (Major Anson) had heard that the authorities had re-opened the experiments in this case, and had decided that the 64-pounders were to be tested by firing 2,000 rounds each. He objected to that, on the ground of the time that would be wasted. He had not been able to find any one who had the slightest doubt that the guns would stand that test. So much was that the case, that Major Palliser was going to submit one of his guns, which had been condemned by the Royal Gun Factory, to the test in question. It might seem strange to the House that the Royal Gun Factory should sit in judgment on guns produced by rivals, but such was the case. He wished to ask the right hon. Gentleman whether he might be able to apply a portion of any sum of money he might take for the manufacture of guns this year to the conversion of guns should it be deemed advisable?

SIR JOHN PAKINGTON was understood to say that he objected to the hon. and gallant Gentleman's making, as he had done, a speech in the end of November in reply to a statement which had been made in the month of August. He hoped his hon. and gallant Friend did not impute to him any intention of stating anything contrary to the facts on the occasion to which he had referred. His hon. and gallant Friend had complained that he had given the highest prices, instead of the lowest; but he had taken the price of the gun which had been tested, of which he knew the merits, and which was the only one of which he could speak. His hon. and gallant Friend complained that with regard to the estimates for converted guns he had given manufacturers' prices. That was the case, because at that time the Arsenal had no experience and had no means of arriving at an independent conclusion. The question was one of comparison between two guns of the same description; but Major Palliser's gun was made with an iron tube, whereas the Woolwich gun was made with a steel tube, and the sum of £405 was the most accurate estimate he could form supposing the gun was made like Major Palliser's, with a wrought-iron tube. But the House would probably prefer hearing what were the intentions of the Government as to the future, rather than have its time occupied with a comparatively small matter. His hon. and gallant Friend (Major Anson) asked whether he would be willing to frame the Estimates in a particular manner. He was not prepared to give a promise on that point; all he could say was that the subject should have his best consideration. There was one point upon which he agreed entirely with his hon. and gallant Friend, and that was that through all Her Majesty's possessions they were deficient in the proper and requisite number of rifled guns, and it was very important that they should proceed as quickly as they could to supply the deficiency. The first question which then arose was whether it was desirable to proceed with the conversion of the smooth-bore 68-pounder? On this point he was obliged to adhere to the opinion he had given on a former occasion that it would not be expedient to do so. For the reasons he had stated on that occasion it was the opinion of the Ordnance Department that this gun when converted would not be able to stand the heavy charges that would be required. On the other hand, the 32-pounder might be converted into a 64-pounder, which when rifled would be a most useful gun and amply repay the cost of conversion. They had a large store of these guns, and it was the intention of the Government in the course of next year to convert a large number of them into rifled guns of 64-pounders, and this would not be done in the Arsenal, but by the private trade under the immediate superintendence of Major Palliser. He hoped his hon. and gallant Friend would be satisfied that the Government were only anxious to do what was best for the public service.

IRELAND—SPIRIT LICENSE DUTY.

OBSERVATIONS.

SIR JOHN GRAY called the attention of the House to the proposed increase of Spirit Licence Duty in Ireland by the Board of Inland Revenue, and asked the Secretary of the Treasury, Whether, in proposing such increase, the Board were acting under instructions from the Treasury; and, if not, Whether the Treasury will interfere to prevent it? Great dissatisfaction had been caused throughout Ireland by this action of the Board of Inland Revenue. In Ireland the licenses for retailers of spirits were based on the rental or the value of the premises; and this rental or value was not the parochial or other local valuation, but the public Governmental valuation used for the assessment of inhabited houses. It was important, therefore, that they should understand what the public valuation of Ireland was. There was first the Ordnance valuation—generally called Griffith's valuation—and there was also the Poor Law valuation; but for a considerable number of years there had been no separate Poor Law valuation, the several unions having adopted the most recent Government valuation, known as the Tenement Valuation (Ireland), made by the Commissioners of Valuation appointed by the Government of whom Sir Richard Griffith was Chief Commissioner. That valuation was now used for all Poor Law purposes, for all grand jury rating, and all other county purposes — for all municipal purposes—and had been adopted by the Government for Imperial taxation purposes, and on it was based the Income Tax from property in Ireland. For a series of years the Inland Revenue adopted and acted on it. It was still just enough for the Government, for the Poor Law authorities, for the county and municipal authorities; but the Inland Revenue have arbitrarily added 25 per cent to the public valuation, and made that the basis for the duty. That did not add 20 per cent to the duty—if it did, probably there would be very little irritation produced—it added nothing whatever to the large traders' license duty. Premises valued at or above £50 a year would continue to pay the same license duty as before; but the small traders in the country towns and villages would have, by the proposed change, their duties raised, not 25 per cent, but 100 per cent. Already much bad feeling had been caused by this unjust proceeding. Meetings had been held in Dublin, in Cork, in Kilkenny, in Limerick, in Waterford, in Clonmel, in fact, in every town in Ireland, to protest against this unfair and arbitrary departure from the public valuation basis so long acted on. He would put it to the Government and ask was it wise at such a juncture as the present to force an influential class of traders, whose ramifications spread into every village in Ireland, and whose houses were the centres of town and village political discussion, into a state of permanent irritation, and thus create so many normal schools for discontent and for just invective against the system pursued towards Ireland? The sum to be raised would be a very small compensation for the evils sure to result from the discontent and agitation that would arise. The total sum to be acquired by this new screw was variously estimated at £50,000 for as high as £80,000; but, though small in amount, it was an unjust addition to the drain from Ireland, and would be all levied from one class of traders, and that class of men who could not well bear it.

MR. MAGUIRE corroborated the statement of the hon. Member for Kilkenny, as to the dissatisfaction which had been created by the course taken by the Commissioners, and expressed his conviction that the proposed increase in the license was arbitrary and most unfair.

SIR COLMAN O'LOGHLEN, speaking from his own knowledge, stated that the proposed increase was most unpopular, and in his opinion most unjust in principle. A basis which had existed for so many years ought not to be disturbed at the whim of the Revenue Board.

THE O'CONOR DON said, he could not see, when the Board had so long accepted the valuation, on what ground they were now altering it. It could not be on the ground of any increase in the value of property, for the property in the smaller towns, which would be most affected, had been greatly depreciated, and it was that very property which the Board were endeavouring to saddle with an increase of taxation.

Sir PATRICK O'BRIEN believed that the effect of the change would be to increase the class of unlicensed or shebeen houses, where the greatest portion of the crime in Ireland was hatched, and where most of the conspiracies in that country originated.

Mr. HUNT said, the Question put to him was whether the Commissioners were acting under instructions from the Treasury. The Commissioners were not acting by direction of the Treasury. On being communicated with they informed him that they were proceeding in entire accordance with the Act of Parliament regulating the spirit duties, that they were not only acting according to law, but that they would not be acting according to law if they did not do what they had done. By the 5th section of the Act certain rules were laid down for ascertaining the value of these houses, and there was a proviso that if the persons authorized to grant licenses should be dissatisfied with the rent or value as shown by the certificate of the landlord, they were authorized and required to adopt such other means as the Commissioners of Excise might think fit to ascertain the true rent or annual value of such houses or premises. The Commissioners considered that they were bound by the Act to ascertain the true rent or value, and that they would be neglecting their duty if they failed to do so. They further stated that with respect to many of these houses where the license duty had been raised, that if it were not so raised it would operate unfairly with regard to other houses; because in many cases where new houses were built the true value was put upon them. They also said that in every case in which persons had appealed to the Commissioners inquiries had been instituted and redress granted whenever it appeared to the Commissioners to be required. The observations of hon. Gentlemen confirmed the representations made to him in favour of a new general valuation. If that were done these complaints would cease, and he should look for the support of the hon. Gentlemen opposite who had taken part in this discussion if, during the Session, he should introduce a new Valuation Bill.

Sir JOHN GRAY hoped the hon. Gentleman would suspend the proceedings of the Commissioners until a new valuation was made, and he should be glad to support him in any measure of that kind.

Sir GEORGE BOWYER said, he did not consider the explanation given by the hon. Gentleman satisfactory, and did not think the clause in the Act made it incumbent on the Commissioners to act as they had done. The existing valuation had been made under the Tenements Valuation Act, and that being so he could not understand how it became the duty of the Commissioners to leave a mode of valuation which had been established for so many years and go back to a statute of the reign of George IV. He hoped the hon. Gentleman would adopt the hint of the hon. Member for Kilkenny, and suspend the proceedings of the Commissioners, and in the meantime consider the whole matter and establish the valuation on a just and equitable footing.

DISFRANCHISED BOROUGHS—TOTNES, GREAT YARMOUTH, LANCASTER, AND REIGATE.—OBSERVATIONS.

Mr. OTWAY, in calling the attention of the House to the anomalous and embarrassing state of the law relating to the Elections for the boroughs of Totnes, Great Yarmouth, Lancaster, and Reigate, in consequence of the postponement of the period at which the disfranchisement was made executory, said, that in the absence of the Chancellor of the Exchequer he would not have brought forward the matter if it had not been urgent as well as important. The House was aware that in consequence of the Reports of the Election Committees for these four boroughs, and upon the joint Address of both Houses of Parliament, Commissioners were sent down to inquire into the bribery and corruption alleged to exist in those boroughs. The Commissioners reported that corrupt practices had extensively prevailed in all these boroughs. A clause was consequently introduced into the Reform Act enacting that from and after the end of the present Parliament these boroughs should respectively cease to return any Member or Members to serve in Parliament. He was no stickler for precedent — but an error that might be productive of great discredit to the House had been caused by an unwise departure from precedent, because if the words inserted in former Acts had been used in the Reform Act the present state of things would not have existed. In the case of a dissolution of Parliament occurring before the 1st of January, 1869, these boroughs would not return Members of that House; but should any vacancy occur by the death of one of the sitting Members for Totnes and Great Yarmouth, on the fact being duly certified to the Speaker, he apprehended that the right hon. Gentleman must make out a warrant for a new writ to fill the vacancy. A return must be made to that writ, and a Member would take his seat for a borough which had been condemned in the most unqualified terms by the House. And by whom would that Member be elected? By a constituency so corrupt that the names of many of them had been appended in a schedule, and they had been declared incapable of voting ever after for any Member of Parliament. That state of things could not have been intended by the Government, for there were no Members of that House more decided in condemning these boroughs. There was certainly one exception—that of a right hon. Gentleman who now filled a high post in the Government. The right hon. Member for North Lancashire (Colonel W. Patten) warmly defended the borough of Lancaster. Two divisions took place in that House. An hon. Gentleman (Mr. Howes) who represented the county in which Great Yarmouth was situated defended that borough; but on a division the numbers in favour of retaining the representation of Great Yarmouth were only 49, while the number voting for its disfranchisement was 325. The right hon. Member for North Lancashire thereupon coupled Great Yarmouth with Lancaster and took a division, when 159 Members voted for disfranchisement, and only 87 in favour of his Motion. That showed an unmistakable opinion on the part of the House in favour of disfranchising these boroughs. What was his complaint against the Government? That they had not followed the precedents in the case of Sudbury and St. Albans. In the last case it was provided by a special Act that from and after the passing of that Act the borough of St. Albans should cease to return any Member or Members to Parliament. In the case of Sudbury the words were the same. Now, if these words had been used in the Reform Act the present difficulty would have been avoided. In former cases, where electors had been guilty of flagrant corruption like these four boroughs, the Legislature dealt with them very differently from the way in which the Government had dealt with these four boroughs. As regarded the voters by the New Shoreham Act, it was provided that—

> "Whereas a wicked and corrupt society, calling itself a Christian Society, has for several years subsisted in the borough of New Shoreham, in the county of Sussex, and consisting of various persons having a right to vote at elections, &c,"

and it went on to give the names of the sixty-eight voters who had been guilty of bribery, and proceeded to enact that those men who were stigmatized were thenceforward incapacitated and disabled from giving any vote at any election for the choosing of Members of Parliament. That Act was still in force, and he could not understand why those men who had been guilty of such extensive corruption, especially at Great Yarmouth, should not have been treated as were the electors of New Shoreham. In the cases of Reigate and Lancaster it was true that two days' notice had to be given prior to the issue of a writ; but he believed that, as the case now stood, if a vacancy occurred, by death or otherwise, at Great Yarmouth or Totnes during the Recess, a writ must issue for the return of a new Member. That was a result which he was sure had never been contemplated; and he thought that, whether by a Resolution of the House or by some other mode, such a scandal should and might be prevented.

MR. SERJEANT GASELEE thought that all the anomaly to which the hon. Member had just called attention was caused by the Chancellor of the Exchequer not having adopted the suggestion which he had himself made to him last Session. He then put it to the right hon. Gentleman whether he ought not, according to precedent, to have brought in a separate Bill dealing with those four boroughs. But the Chancellor of the Exchequer thought differently, and hence this difficulty. He had also put it to him whether it was right that the present Members for those corrupt boroughs should still sit in that House. All would agree in this, that, although they might tolerate the Gentlemen who sat for those four boroughs, still they did so only for a short time; and certainly they ought not to allow any more gentlemen to come among them from those places to contaminate them. He entertained a strong opinion on that question, and confessed that he, in common with the rest of the House, was partly to blame for permitting the clauses relating to those boroughs to pass as they stood. The mischief, however, he should think, might yet be easily remedied by the House passing a Resolution to the effect that no writ should be issued for either of those condemned boroughs until Parliament had first assented to it.

PARLIAMENTARY BOROUGHS—PAYMENT OF RATES.—QUESTION.

MR. CHARLES FORSTER called the attention of the House to the uncertain interpretation of those provisions of the "Representation of the People Act" which relate to the payment of rates, and to ask Mr. Attorney General, Whether every occupier in Parliamentary Boroughs must be rated to the relief of the poor; or whether, in the event of the occupier not desiring to obtain the Franchise, the owner may still be rated; also, whether payment of rates by the landlord would not, in point of Law, be deemed payment by the tenant? He had been requested to bring under the notice of the House the case of the Walsall compound-householders. There, under the Market Improvement Act of 1848, a composition was made compulsory in regard to all tenements let out either weekly or monthly; but, wherever the rent amounted to £10 and upwards, the compound-householder could be placed on the electoral register. But, by the extinction of the system of compounding under the Reform Bill of last Session, those compound-householders at £10 and upwards would be disqualified. Under that Act no occupier could be admitted to the franchise unless he personally paid his rates; but a doubt seemed to exist whether the section directing the rate to be levied on the occupier and not on the owner applied to all occupiers indiscriminately, or merely to those qualified under the 3rd section of the Act. He was aware the Attorney General would say that all local Acts were superseded by the general Act; and that might be a good answer in point of form, but it was no answer as to the injustice and inconsistency of taking away existing franchises. The 56th section of the Representation of the People Act, 1867, said that all franchises conferred by that Act should be in addition and not in substitution for any existing franchises. He wished to know whether payment of rates by the landlord would not in point of law be deemed payment by the tenant. Whatever might be the answer of the Attorney General to that Question, he desired to impress on the Government, and especially on the House, the policy, before the Act of last Session came into operation, of repealing, or, at all events modifying the obnoxious clauses relating to compounding and the payment of rates. Those provisions were everywhere exciting the greatest discontent and giving rise to the warmest discussion. Not only in his own district, but in Norwich and other places, large meetings had been held to protest against them, and, in some places, threats of personal violence had been held out against any attempt to enforce them; and he felt sure that in the ensuing Session the table would be covered with petitions on the subject. He hoped that the object of a measure intended for the enfranchisement of the working classes would not be defeated by the enforcement of the odious provisions to which he had referred.

LORD HENLEY said, the subject was one of great importance. He confessed that when the clauses for abolishing the system of compounding were brought forward many hon. Gentlemen did not perceive very clearly how they would work. But though the Act of last Session had not yet come into operation, and no rate had been raised or a single voter registered under it, yet they now saw pretty plainly what its action would be. The feeling among the small occupiers in the towns where the change from compounding to non-compounding was made was one of the most serious dissatisfaction; and that subject would soon have to be re-considered. When the system of compounders was abolished by the Act of last Session, he supposed, in his ignorance, that there were two great objects sought to be attained. On his side of the House it was imagined that the holders of small tenements would thus be exempted from the payment of a fine before they could become entitled to a vote; while, upon the other side, it was thought that the personal payment of rates would secure a qualification for the franchise. Both those objects, however, failed to be realized. The holders of small tenements would still have to pay a large fine before they could exercise the franchise, and the personal payment of rates was far from being securely established. The question was one which involved so many complications that he had found it extremely difficult to understand it; but having heard a great number of complaints from householders when he addressed his constituents a short time ago as to the way in which the law would operate in their case, he had examined the subject more closely, and he felt satisfied that a great injury would be inflicted on workmen and occupiers of small tenements, male and female, by what he must characterize as a very inconsiderate and clumsy Act of the Legislature. Let him suppose, for example, that £18 was required to be raised for parish purposes, and that it was to be levied on forty houses of the rateable value of £6 each, which would give an aggregate rateable value of £240. Under the compounding system, the parish authorities must have called for £36, or a sum double that which they required—because by the 13 *Vict.* the landlord was enabled to compound for half the sum called if he were willing to pay the charge on unoccupied as well as for occupied houses. The rate, then, would be 3*s.* in the pound, or 18*s.* for each house; and the landlord paid half the sum required to be raised, and there was no trouble about it. But now that the system of compounding was abolished—and he was sorry that it had been abolished, because he looked upon it as being a most excellent system—if the parish authorities wanted to get £18, they would not call for the nominal sum of £36, as heretofore, but for a real sum of £24 at least, and the difference would be that they would not only call for it, but that every penny of it must in some way or other be paid. But why was it, it might be asked, that the parish authorities would have to call for £24 when they only wanted £18? Because allowance must be made on the ground of empty houses, of the poverty of the occupiers of some of those small tenements, and of the increased expense of the collection. The result would be that a real rate of 2*s.* in the pound would be levied instead of a nominal rate of 3*s.*, which only made a real rate of 1*s.* 6*d.* Now, those payments were demanded three times a year, and a difference of 9*s.* or 10*s.* a year was thus made in the case of the occupier of a £6 house, which was an extra charge of which he had, he thought, a good right to complain. But it must also be borne in mind that there were, instead of three rates in the year, sometimes four. Now, under the compounding system the fourth rate fell entirely upon the owner of the House, while, under the Act, compounding being abolished, it would have to be paid by the unfortunate occupier. The consequence would be that instead of a fine of 9*s.*, he would have to submit to one of 13*s.* or 14*s.* There were many householders who did not care to pay so much for the privilege of a vote—who did not care for a vote at all, in fact—and it should be remembered that 10*s.* a year to those men was as much as £100 a year would be to most hon. Members of that House. It was not under those circumstances unnatural that he should say that no boon had been conferred upon him by the recent action of the Legislature. He had simply to observe, in conclusion, that he should like to see the whole question submitted to the consideration of a Select Committee, by whom its intricacies would, in his opinion, be better unravelled than by discussion in the House itself. The result of the labours of such Committee would, he hoped, be that the Reform Bill of last Session would be materially reformed in those respects to which he had called attention.

Mr. HENLEY said, the noble Lord (Lord Henley) had stated that he was not very well informed upon the question, and certainly his remarks had made it clear to those who were acquainted with the subject of rating, that he had not got up his case as well as might have been expected. The noble Lord had described in touching language the position in which the occupiers of small tenements might be placed under the new law, and had pointed out that, in addition to the usual rates, there might be an additional one which would fall entirely on these unfortunate persons. The noble Lord ought to have known that the compositions were not affected or carried out by the number of rates that might be levied, but by the difference in the amount of assessment; and therefore it did not make the least difference what were the number of rates. Assuming, however, that 25 per cent was the amount struck off, the house which the noble Lord had mentioned would be rated, not at £6, but at £4 10*s.*, and whatever might be the number of the rates there would be no difference to the ratepayer, so far as the composition went. The noble Lord had also told them that a certain class of ratepayers had an advantage under the compounding system; but at whose expense, he should like to know, was that advantage gained? Was it at the expense of the rich or at the expense of the parish, which might have some little loss and trouble in collecting the rate? It was no such thing. The advantage was gained at the expense of the poor—at the expense of the widow—at the expense of the person who had lived upon parochial rates—at the expense of all poor persons who were so poor that they were disqualified by law from paying any rates at all. That was the class of persons at whose cost the gain had been obtained. Now, what was the case which the noble Lord had put? A person had twenty cottages, or any other number, letting at £6 a year each. Every one who was connected with this subject must be aware that whenever a rate was made, the names of all persons who occupied houses of the value of £6 or other small sums were inserted in a list which was drawn up by the overseers, and was laid before the magistrates, and that the magistrates excused from any payment whatever all those occupiers who pleaded poverty, or who were themselves in the receipt of parochial relief. Under the Act of Elizabeth the poor rate was a personal charge and not a charge upon property, but under the Compounding Acts, public and private, it became a charge upon property. With reference to the convenience or the inconvenience of the new arrangement as regarded voting at elections, he could only say that the proposal which had been adopted upon that subject had not emanated from the Ministerial side of the House. The Government had at first proposed to leave it pretty much as a matter of choice whether people should obtain the right of voting or not, but that course was objected to by hon. Gentlemen opposite; and now they had the noble Lord asking them who would become a voter if he had to pay so many shillings for the privilege. He protested against it being supposed that the people who under the composition gained an advantage gained it from any but the poorest persons, for the landlord was obliged to pay for every occupied tenement, and he took care to throw the burden on, among others, poor widows and other poor persons receiving relief from the parish. He was quite aware that it was convenient to parish officers to collect money in the bulk, and magistrates were under the compounding system relieved from the trouble of deciding whether a person should or should not be struck off the rate on account of poverty, but all that convenience was obtained at the expense of the very poorest.

MR. GLADSTONE said, it appeared to him that his noble Friend (Lord Henley) was not open to the censure thrown on him by the right hon. Gentleman opposite. His noble Friend, in the discharge of the first obligation of a Member of Parliament, had stated very clearly a grievance which his constituents thought they were suffering from in consequence of the legislation of that House, and therefore he deserved no blame for the course he had pursued. [MR. HENLEY: I did not intend to blame the noble Lord.] The right hon. Gentleman, however, made very light of the noble Lord's knowledge of the subject, and censured him for speaking about a matter of which he appeared to know very little, and such an observation approached very nearly to blame. Now, he (Mr. Gladstone) would turn the blame against the right hon. Gentleman a little, because his argument had gone much further than the votes he had formerly given. The arguments of the right hon. Gentleman were good against the Small Tenements Act, which either was at the present moment, or might be in force in the vast majority of parishes; and even since the time when the House summarily abolished the Small Tenements Act and all compounding Acts for Parliamentary boroughs they had been adopted for the first time in many parishes, so rooted were they in public favour. The argument of the right hon. Gentleman was not applicable to Parliamentary boroughs exclusively—the purport of his argument was that the Small Tenements Acts were bad root and branch; and therefore the right hon. Gentleman, in order to satisfy his views, ought to move that the Small Tenements Act should be repealed; but it was not surprising that a person in the position of the noble Lord, who had had some experience within the last few months of the state of feeling in some boroughs, should state to the House the result of that experience. For his own part, he would trouble the House with no argument on this subject, for during the course of last Session the House was drenched and saturated with discussion on the case of the compound-householder. No man was more responsible than himself for the time which the House spent in discussing that matter; but he had urged it on the attention of the House, because he had a very strong conviction that much trouble would arise out of the course which the House was last Session invited to take. The course ultimately pursued was a great improvement on that originally proposed, yet still it was a course likely to lead to great trouble. He would not re-state the opinions which he had before expressed on the subject, and which were now about to be put to the test of experience. This ought no longer to be considered as a political or party question, for it had become a practical question connected with the social convenience of the people, and it was better that the trial which was now being made of the legislation of last Session should be made apart from all political and polemical discussion. He therefore abstained from repeating the arguments which he formerly stated to the House; but he did not think that any complaint should be made against those who in temperate language made known grievances affecting localities with which they were acquainted.

Mr. KENDALL said, he should like to know from whom those complaints proceeded. He believed they proceeded from persons who had largely profited by the construction of the lowest class of houses. The percentage made by those persons was known to be enormous; and it could not be a matter for surprise that they should complain of that change in the law which had partially altered their relations to their tenants.

Mr. WARNER said, he wished to say a few words on this subject because he represented a city which suffered from the alteration which had been made in the law. He had presented a petition from Norwich, under the seal of the Corporation of that city, praying that some steps might be taken to remedy the grievance inflicted on them by the operation of the Act. The petition, which was signed by members of all political parties, stated that the number of assessments in Norwich had increased under the Act from 7,800 to 21,000, and that the greater portion of the new ratepayers were weekly tenants from whom it would be almost impossible to collect rates, as many of them were either paupers or on the verge of pauperism. Votes were not claimed for these persons; what was wanted was that the city should be relieved from this difficulty. It would no doubt be difficult to restore the compounding system as it was; but he believed many of the evils complained of would be mitigated if a large and liberal system of excusing were allowed to take the place of composition. If the law remained as it was the evil would be intolerable.

Mr. DARBY GRIFFITH said, he hoped the House would not forget the question raised by the hon. Member for Chatham (Mr. Otway). It would be a shame and a scandal if, on any vacancy occurring before the end of this Parliament, one of the condemned boroughs could send another Member to that House. The effect of the present state of the law with regard to compounding was just this, that the landlord got the whole rent without deduction of rates, and left the tenant to pay the rates himself. The scheme so ingeniously concocted last year to carry the Bill had served its purpose, and the last of the securities would no doubt be gracefully yielded on the very first assault being made upon it.

Mr. GOSCHEN said, he desired to ask the Attorney General a Question, which he would put in a more formal shape if the hon. and learned Gentleman desired time to consider his answer. It had reference to the separate rating of those to be enfranchised under the new Reform Act. One of the conditions was that the full rateable value should be entered on the rate book; but suppose the overseer did not comply with this part of the Act, how far would that affect the claim of the elector? Would he lose his vote because the overseer had neglected to place his name separately on the rate book? Under the old Reform Act if the overseer neglected to place the occupier on the rate book the latter might tender and claim to be rated, and that was sufficient to entitle him to vote. But under the new law he must claim to be rated for a special amount—the full amount—and how was he to do so without the assistance of the overseer? Suppose a block of buildings which the overseer had been accustomed to rate as a whole, and that the separate rate paid by each occupier of the building had never been calculated; and suppose it were found inconvenient to change the rating—what remedy would the occupier have in order to get himself on the rate book? He could not tender the exact amount, because that was not known. Was there any mode prescribed by the Act by which he might ascertain his precise proportion of what was paid by the whole block? The occupier in that case, it appeared to him, would be unable to comply with the requisition of the Act, and would not have a vote. He thought this a matter of some importance, and the greatest confusion would arise at the next election unless some authoritative declaration were made on the subject. If the Attorney General wished time to consider the matter he would renew his Question on another day.

THE ATTORNEY GENERAL: I shall avail myself of the permission of the right hon. Gentleman to defer my answer to the Question he has asked till some future occasion. With reference to the Questions raised by the hon. Members for Chatham (Mr. Otway) and Walsall (Mr. C. Forster), I regret very much that the Chancellor of the Exchequer is not here to answer them. With reference to the disfranchised boroughs, the words of the Act are, "from and after the end of this present Parliament they shall respectively cease to return any Member or Members to serve in Parliament." Although my attention has not been called to this subject until recently, it is now under the consideration of the Government, and we hope to be able as speedily as possible to take such steps as will meet the case in the event of any vacancy occurring in the representation of the boroughs in question. The Question put by the hon. Member for Walsall (Mr. C. Forster) has virtually been answered during the course of the debate. In the first place, the hon. Member asked whether, since the passing of the last Reform Act, every occupier in Parliamentary boroughs must be rated to the relief of the poor, or whether, in the event of the occupier not desiring to obtain the franchise, the owner may still be rated; and, in the second place, he asked whether payment of rates by the landlord would not in point of law be deemed payment by the tenant? In answering these Questions, I will not enter into any disquisition on the subject of the compound-householder. The terms of the Act which apply to the first of these Questions are most clear. By the 7th section of that Act—a section which was passed advisedly—it is expressly declared that in boroughs the compounding system shall be wholly done away with, and that after a certain time the occupier and not the owner shall be rated to the relief of the poor — thus returning to the state of things which existed prior to the passing of the 59 *Geo.* III., which was the first Act which enabled owners in certain cases to be rated instead of the occupiers. In answer to the second Question, as to whether the payment of rates by the landlord would not in point of law be deemed payable by the tenant, I can only say that I see nothing in the terms of the Act of last Session which precludes the landlord, when duly authorized by the occupier, from paying the rates. I must, however, refer the hon. Gentleman to the 49th section, which expressly states—

> "Any person, either directly or indirectly, corruptly paying any rate on behalf of any ratepayer, for the purpose of enabling him to be registered as a voter, thereby to influence his vote at any future election, and any candidate or other person either directly paying any rate on behalf of any voter for the purpose of inducing him to vote or refrain from voting shall be guilty of bribery, and shall be punishable accordingly."

Still, in cases where the landlord is duly authorized to pay the rates by the occupier he may legally do so, just as any other person might pay them for the convenience of the tenant. I trust I have satisfactorily answered the Questions of the hon. Members.

SIR ROBERT COLLIER, while admitting that the hon. and learned Attorney General had satisfactorily answered the Question which had been put to him by the hon. Member for Walsall, thought it as well that Parliament and the country should clearly understand that, notwithstanding what had been said in the course of last Session, there really was nothing in the last Reform Act which required the personal payment of rates. While the Attorney General now thought fit to admit that such was the case, the House could not forget that the special ground upon which the Reform Act of last year was recommended by the Government to the country was that it required the personal payment of rates. The Chancellor of the Exchequer, in summing up the merits of the Government Bill, used the following language:—

> "Our proposal—I must repeat it again, even at the risk of wearying the House—is that every householder who is rated to the poor, and personally pays his rates, and who has occupied his house for two years, shall possess the franchise."—[3 *Hansard*, clxxxvi. 660.]

Again, the Secretary of State for the Home Department said—

> "The man who puts by money for the purpose of meeting the demand for the payment of rates, the careful, the saving, the truly independent man, will be admitted to the most important privilege of the Constitution."—[3 *Hansard*, clxxxvi. 509.]

Now, the impression produced upon hon. Members on both sides of the House was that whatever might be the possible demerits of the Bill, it had one prominent virtue which counterbalanced them all—

namely, that it was founded upon the principle of the personal payment of rates—that is to say, direct payment by the tenant, as distinguished from indirect payment through the landlord, in the shape of rent; and it was upon that understanding that the House consented to abolish the compound-householder. It now, however, turned out that the supposed requirement by the Act of the personal payment of rates was only an unmeaning phrase which, having answered its purpose at the time, was now abandoned. It was as well that the matter should be placed before the country in its true light, and that all delusion upon the subject should be removed. The hon. and learned Attorney General appeared to flatter himself that we had done with the compound-householder for good; but, in his (Sir Robert Collier's) opinion, the Act of last Session, in abolishing the compound-householder system, had been productive of such great inconvenience throughout a large portion of the country that before long the compound-householder would be restored. The proposition which was made by the right hon. Member for South Lancashire (Mr. Gladstone) last Session on this subject should have been accepted, and at no distant day the House would have to agree to it.

Lord JOHN MANNERS regretted that the hon. and learned Gentleman who had just sat down had not followed the excellent example set by the right hon. Gentleman (Mr. Gladstone) and confined himself to the subject immediately before the House, but had taken that opportunity to put forward doubts which appeared to have entered into his mind with regard to the operation of certain portions of the recent Reform Act—doubts which he had carefully abstained from suggesting during the debates which took place upon that Act last Session. The indignation of the hon. and learned Gentleman, which appeared to have been excited by the legal opinion of the Attorney General—that when duly authorized by the tenant the landlord was entitled to pay the rates—was entirely thrown away, because the House was perfectly aware of what was intended last Session by the section referred to. The Attorney General had merely given a legal interpretation of the language of the section; and that a lawyer, like the hon. and learned Member opposite, should blow such a flourish of trumpets over the Attorney General merely because he had given a plain and legal interpretation of that section filled him with amazement—he could not add consternation.

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

WAYS AND MEANS—[INCOME TAX.]

Resolution [November 28] *reported.*

Mr. OSBORNE said, he did not see the noble Lord the Secretary of State for Foreign Affairs in his place, otherwise he should have wished to put a Question to him with regard to the Abyssinian business; because he thought the public opinion was fast coming to this—that that House had rushed into this affair without sufficient information, and that there was really nothing in the blue book to explain the reasons why this war had been entered upon. Acting upon this impression, he had placed upon the Paper a Question with reference to the information contained in the blue book which he had wished the noble Lord to answer. There was a complete vacuum in the information contained in the blue book as regarded events that had taken place between 1855 and 1860, and there was only one letter in 1862. Thus, no information whatever was supplied as to the instructions given to Consul Plowden from 1855 down to the time of his death. He had not the slightest intention of making any attack upon the Government by the step he was taking; but he hoped the House would support him in pressing upon Her Majesty's Advisers the necessity for laying before Parliament every circumstance which had led to the war. He almost believed that, were the whole facts before the House, it would be found that something might even be said in favour of King Theodore, unpopular as he might be at the present moment. It was impossible to doubt that there had been a great deal of blundering in the Foreign Office in past days, and possibly we might not be wholly innocent in this Abyssinian business. The House of Commons seemed willing to accept any explanations offered them with regard to the causes of the war. They seemed to say, "We have got into a mess, and we must get out of it as best we can." Now, it was quite possible that some day another Abyssinian case might arise in some other place, and therefore it was important that the House should sift this matter to the bottom, and should ascertain distinctly what were the instructions which were given to Consuls Plowden and Cameron, and what was the policy of the late Government upon the Turco-Egyptian question. Unless this information was forthcoming, they could not know whether King Theodore was or was not a much wronged man by this country. In the absence of the noble Lord, however, he would not press the Question at the present moment. He intended, however, to persevere on Monday with the Motion which he had placed upon the Paper, and he trusted that sufficient interest was left in the House to compel the Government in case of refusal—though he had no reason to believe that that refusal would be made —to give a full exposition of all the papers relating to the Abyssinian business from the beginning, but more especially the papers which contained the correspondence of Mr. Plowden from the year 1855 down to his death in 1860. He had a shrewd suspicion that some matters would be divulged which would make out some case for the Emperor Theodore, and would furnish a warning to the Foreign Office and the House against plunging into expenses for wars in places with which we ought to have no concern.

MR. DARBY GRIFFITH said, he would repeat his observations made the other evening, that the Prerogative of the Crown in making war without any limitation was not compatible with the relations between the Crown and Parliament at the present time. The complaint against the Government was, that they had commenced these proceedings without the previous sanction of Parliament; but the noble Lord the Secretary for Foreign Affairs had admitted the doctrine which he (Mr. Darby Griffith) had contended for, and by so doing he had placed the rights of the House of Commons upon their proper footing.

Resolution *agreed to.*

Bill "to grant to Her Majesty additional Rates of Income Tax," *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. HUNT.

Bill *presented,* and read the first time. [Bill 16.]

WAYS AND MEANS [CONSOLIDATED FUND] BILL.

Resolution *reported;*

"That, towards making good the Supply granted to Her Majesty, the sum of Two Millions be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland."

Resolution *agreed to:*—Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. HUNT.

Bill *presented,* and read the first time.

EAST INDIA, TROOPS AND VESSELS (ABYSSINIAN EXPEDITION).

Resolution *reported,* and *agreed to:*—To be communicated to The Lords, and their concurrence desired thereto.

INDIA, CHINA, AND JAPAN MAILS—CONTRACT WITH THE PENINSULAR AND ORIENTAL STEAM NAVIGATION COMPANY.

MR. HUNT, in moving that the Contract for the conveyance of Mails between this Country, India, China, and Japan, with the Peninsular and Oriental Steam Navigation Company be approved, said, the last time this question was before the House it was suggested by his hon. and learned Friend the Member for the Tower Hamlets (Mr. Ayrton) that it would be undesirable that the new contract should commence before the House had an opportunity of expressing an opinion upon it: and that opinion being shared by a great many Members, he (Mr. Hunt) undertook, on the part of the Government, to endeavour to make some temporary arrangements which would obviate the necessity for a new contract commencing before the House had expressed its opinion. Within a very short time, however, after the prorogation, Her Majesty's Government determined that it would be right to call Parliament together late in the autumn, or at the beginning of winter, and in consequence of that determination it became no longer necessary for the Government to make such provisional arrangements for the service as had been contemplated. When the tenders advertised for were sent in to the Post Office we found that practically we had only one offer. It will be remembered that the service was advertised for in separate sections. It was proposed that companies or individuals might offer for different lines of service, and might offer for one service one week and for another another week; but it turned out that, with one very small exception, the only tender made was by the Peninsular and Oriental Company. An Italian company offered to perform the service from Brindisi to Alexandria; but there was no offer from anybody else to perform the rest of the service, even if that proposal were accepted. The Government asked for that tender as an alternative arrangement for Marseilles, thinking it quite possible by the time that the tenders came in that they might avail themselves of the Brindisi route; and Her Majesty's Government were advised that before the completion of the term for which they had entered into arrangements with the Peninsular and Oriental Company the Brindisi route might become available. Therefore, in the articles of agreement which had been entered into it was stipulated with the Peninsular and Oriental Company that the Government should have the option of changing the route from Marseilles to Brindisi, the difference in the terms payable to the Company under the altered circumstances being referable to arbitration. The terms asked by the Peninsular and Oriental Company for performing the service were £500,000, and the term named was six years. It was thought, however, that the Company might be willing to abate a portion of their demand, provided the Government entered into an agreement with them for a longer term. As detailed in the Parliamentary Papers, the arrangement with the Company was conducted, on the part of the Post Office, by Mr. Scudamore; the Company submitted their books to him, and he made a Report which the House, no doubt, would recognise as a very able document. After this examination the Company expressed themselves willing to reduce their term from £500,000 to £400,000, provided the period were extended from six to twelve years; but they accompanied the abatement with a proviso that their shareholders should be guaranteed a dividend of 6 per cent upon a certain stated capital: on the other hand, they expressed their readiness to allow the Government to share to the extent of one-fourth in all the profits beyond 8 per cent, which might become divisible. After a greal deal of consideration given to these further terms the Government adopted them —with this condition, to which the Company assented, that the guarantee of 6 per cent should in no case render the Government liable to pay a greater sum than £500,000, the original amount asked. The Company also agreed to a condition desired by the Admiralty, that the Government should have power to buy or charter their vessels in cases of exigency for the public service. Mr. Scudamore's calculations were given in the documents which had been published, and, taking into account the history of this Company, he thought it much more likely that the Government would be invited to share in profits than to contribute to make good a deficiency. The Government in the course which they had taken had not been instituting comparisons between different tenders; because, in point of fact, they had no opportunity of making such comparisons, seeing that there was only one offer. They had only to make a comparison between alternative propositions of the same Company, and they were of opinion that the reduction of the terms from £500,000 to £400,000, even though the reduction might be attended with the contingent liability of a 6 per cent guarantee, was well purchased by the addition of six years to the term. Of course, the sum now asked was very considerably in advance of what the Government were paying under the contract approaching its termination. The Government were now paying £230,000, whereas hereafter they would have to pay £400,000, with a possibility of that amount being increased to £500,000. But then it must be remembered that the services of the Company, and the facilities for postal communication with the East, would be very greatly increased. A table included in the correspondence showed the improvement which would be effected in this respect. Calcutta, which now had in the year 24 mails of 34 days and 24 mails of 29 days, would have 52 mails of 29 days; Madras, which now had 48 mails of 30 days, would have 52 mails of 30 days; while Bombay, which now had 24 mails of 24 days, would have 52 mails of 24 days. A comparison of the time to be taken in the voyages was also greatly in favour of the new arrangement. The Company further asked that the contract should include not only those services which were advertised for—namely, from this country to Bombay, and by Galle to China and Japan —but also services between Bombay and Galle, and Bombay and Calcutta. These, however, were services which the Government did not think were required for the public service, and accordingly they objected to them. The Company, however, replied that if these services were struck out of the bargain they should still require the same subsidy without as with them; and under these circumstances the Government thought it better that they should be included, seeing that they entailed no extra payment on the country. The Imperial Government was to pay the Company a sum of £181,470, including additional expenses; the receipts from sea postage were £85,815, so that the loss would be about £96,000, the loss being at present £41,000. The Indian Government would pay £117,000, and receive £62,000 for sea postage, making a loss of £54,000. Calculations had been gone into as to what portion of the loss should be borne by Ceylon and what portion by the Mauritius; but the correspondence on this point had not yet been closed. The Post Office suggested that either contributions should be made by those places or the rate of postage be increased. Considering the increased price of coal, the small profit obtained by the Company from the contract for some time, and the improved service which would be secured under the new contract, the Government thought the terms they had made were not unreasonable; and he therefore hoped that the House would be unanimous in approving the contract.

Motion made, and Question proposed,

"That the Contract for the Conveyance of Mails between this Country, India, China, and Japan, with the Peninsular and Oriental Steam Navigation Company be approved."—(*Mr. Hunt.*)

MR. AYRTON objected very much to the House being called on to consider this contract, the general understanding being that Parliament had been called together at this Session for another and special purpose; and he therefore hoped the House would make an urgent appeal to Her Majesty's Government to re-consider their decision. He dissented entirely from the conclusion come to by the hon. Gentleman. In 1865 he (Mr. Ayrton) gave notice of a Motion for a Select Committee to consider the subject of communication between England and Her Majesty's Eastern dominions and China. In 1866 a Committee presided over by his hon. Friend the Member for London (Mr. Crawford), of whose great commercial experience he had been glad to avail himself, sat and took very important evidence. That Committee recommended that there should be a direct service between England and Bombay, and that the speed in the Mediterranean should be not less than eleven miles an hour, and that between Suez and Bombay not less than ten. The Committee further recommended that there should be a direct independent service between England and China once a fortnight. It likewise intimated that the contract should be for a considerable number of years, terminable at two years' notice. The consideration of that Report fell into the hands of Her Majesty's present Advisers, and to the course taken by them was to be attributed the unfortunate position in which the country now found itself with respect to the postal service. Great changes were being effected in the means of communication between England and the East. The railway through the Brenner Pass had been opened, and a railway had been completed across Mont Cenis; so that there were two lines of railway nearly open, giving every prospect of Brindisi, or perhaps some nearer port, being at no distant day, made the port of departure for packets carrying English mails to Alexandria. On the other side, the railway system in India was being developed so as to improve communication between Calcutta, Bombay, and Madras. These works were in progress when he took the matter up. He did so because he thought it was time to direct the attention of the Post Office to the necessity of re-organizing their system. These were circumstances to justify a re-consideration of the contract. Some persons thought they were beginning too soon in considering the question at the period to which he referred; but from what occurred since it appeared that they had begun too late, for no benefit had been derived from the labours of the Committee. What had brought them into their present pitiable condition? On the 1st of February, 1867, the Government gave notice to the Peninsular and Oriental Company to terminate their contract in twelve months. Now, in business matters commercial men generally matured their plans and completed their arrangements for a new contract before they took steps to put an end to an old one, if a contract was necessary at all. But the Government seemed to have acted on a contrary principle. They had not only given notice to terminate the contract, but to terminate it on the shortest possible notice. At least, they might have given them a longer notice, leaving it to the Company to put them into the embarrassing position they now occupied, should the Company think fit to adopt that course. It was not for the Government to take steps which would leave the Post Office without a mail service if the terms of the Company were not accepted. In March the Government settled the form of the new tender; then came some difficulty about the terms, and they had to issue a further notice to correct the first notice;

so that it was not till June that they issued the final notice for tenders. It was addressed to the shipowners, shipbuilders, and other men of business, and invited them to send in by the 16th of September tenders for undertaking this gigantic service by the 1st of February following. Now, he would ask the House whether that was a really practical notice to issue? Was it possible in March or June to undertake this gigantic service, and to have ships in the Mediterranean, in the Red Sea, and in China, and complete all the consequential arrangements by so early a date as the 1st of February? It would be necessary to make certain arrangements at Suez and Bombay and the other ports. It was utterly impossible on such short notice to comply with the Government tender, and therefore no other tenders were made. The House must remember what was the state of the money-market when the Government took measures for the renewal of the contract. It was their duty to consider the state of credit and the whole circumstances of the case, and if there had been a man of business at the Treasury he would not have moved till credit had revived and the spirit of enterprize had become active. The result was that on the 1st of February no tenders had been sent in, while the Peninsular and Oriental Company were in a position to say to the Government, "You have wantonly put an end to our contract, and we will not enter into another except upon our own terms." In order to extricate themselves from the difficulty in which they were placed, the Government sent Mr. Scudamore, a gentleman of intelligence connected with the Post Office, to ascertain how much the Government should pay if a contract were made on the conditions which the Company might find it convenient to suggest. Mr. Scudamore certainly displayed great ingenuity in discovering reasons why the Government should accede to everything the Company proposed; but no fault could be found with him on that account, as he was in a most embarrassing position, and no doubt acted in accordance with his instructions. He found great fault, however, with the contract which was entered into under these deplorable circumstances. In the first place, the rate of speed laid down was not what might fairly be expected, considering the progress made of late years in shipbuilding and steam navigation. The whole service from London to Bombay was to occupy 24 days. The arrangement for the line of the Mediterranean — a distance of 1,410 miles—was that 141 hours should be allowed, being at the rate of 10 miles an hour. For the Red Sea section, comprising a distance of 2,972 miles, 313 hours were allowed, being at the rate of 9½ miles an hour. But, then, the House ought to know that the Company were to be allowed the addition of 24 hours to any voyage without incurring any penalty. Therefore, 24 hours were given gratis in each case. If any further delay took place, they were liable to pay at the rate of £50 for every 24 hours; but, on the other hand, if the mails were accelerated they were to receive a premium of £25. Thus, it would be seen that the Company could retard the mails for 24 hours on payment of £50. Now, the Company always alleged that the great obstacle in the way of attaining high speed was the enormous consumption of coal required for that purpose, and consequently if the coal cost £3 per ton, as was stated, it would obviously be a pecuniary gain to the Company to retard the mails.

Mr. WEGUELIN suggested that the Company would have to bear the expense of feeding the passengers during the extra time.

Mr. AYRTON said, that might perhaps be so, but there was nothing about that in the contract. At all events, he maintained that the penalty was small as compared with the cost of coal, and that the Company would be absolute gainers on the balance of the account. Then, the rates of speed prescribed were not in harmony with the development of steam navigation. His hon. Friend the Member for Tavistock (Mr. Samuda) was examined before the Committee to which he had referred, and stated that high speed could not be attained between Bombay and Suez, unless a class of vessels were employed of at least 2,500 tons burden; but that suggestion had not been acted upon, and nothing had been done to bring their service up to the standard of intelligence which regulated steam navigation and commercial enterprize. If they had not been driven into a corner the Government would have been able to get vessels equal to a much higher rate of speed, and then there would have been a chance of accelerating the mails to the extent which the people of India and those in this country who were interested in this matter had hoped to see. If the passage between England and Bombay could have been brought within a period of three weeks it would have had an important effect in expediting correspondence between England and India, and the advantage in the administration of affairs in Bombay would have been enormous. At this very time, while they were stipulating for this low rate of speed, the Government had built for the transport of troops vessels which were capable of achieving fourteen miles an hour in the Red Sea; and it would surely have been wise and prudent to wait the result of that experiment, upon which £1,000,000 had been spent, before committing the country to this contract for a miserable speed of nine and a half miles an hour nominally, but only nine miles an hour actually. The mode of payment for this service, too, quite baffled his comprehension of the principles on which contracts ought to be made. If there was one principle which more than another ought to be kept in view in these arrangements it was that all the risks and responsibilities should be borne by the party undertaking the work; whereas the proposal in this case was that if the profits of the Company exceeded 8 per cent upon a stipulated capital they should give to the country one-fourth; but if the profit was less than 6 per cent, down to 2 per cent, the Government were to make good the whole of the difference. This was very like giving four to one upon what ought to be even betting. Why, if the Company saw that they could only make 5½ or 6 per cent, they might waste money as they pleased, with the perfect consciousness that any amount between 6 per cent and 2 per cent would be made good by the Government, which in this case had not the control over the expenditure which they had in the case of the Indian railways. Practically, the Company were left with £100,000 of the public money to play with. There should have been a plain and simple contract without contingencies of such a character that the Government were only to get one-fourth of the profits, while in effect they were to bear all the losses. He took it for granted that the Secretary to the Treasury had considered the law of the case, and had considered the effect of this partnership between the Government and the Company. Whether the Acts which had been recently passed exempted the Government from the full consequences of the partnership he did not pretend to say, and he assumed that while sharing the profits the Government were not responsible for the losses of this joint stock company. Another objection to the contract was the period for which it was entered into. If the Government were satisfied that they had obtained not only the highest standard of speed, but something almost in advance of what was recognised as the highest point of successful enterprize, he could understand that they would be glad to fix the contract for a considerable period; but when they made a contract which was behind the age, he did not understand why the country should for twelve years to come be prevented from improving the service in any way. When we were told that coal was unprecedentedly high and likely to fall in value, and while the railways in India were undeveloped, to say nothing of Alpine lines and an Italian port, it amounted to a gross dereliction of duty on the part of Government not to have reserved to itself a right to terminate the contract in less than twelve years. He regretted that the Government had entered into this contract, but having agreed to it, he regretted that they had not reserved to themselves, as they might have done, the option of determining it at the end of six years, even though a penalty of £500,000 was attached to its exercise. He had not descended to the criticism of minor details; but he thought the objections he had stated would be sufficient to induce the House to concur with him in the feeling of deep regret that they were asked to acquiesce in this deplorable contract.

MR. NORWOOD said, he quite agreed with the hon. and learned Gentleman that the Government had made an illjudged and unbusiness-like bargain. He had no objection to the Peninsular and Oriental Company retaining their contract, and receiving a liberal sum for their services, and had no fault to find with the officers of the Company for making the best bargain they could, while he deemed it the duty of the Government to protect the taxpayers and the commercial interests of the country. The mail service between this country and its Eastern dependencies consisted of three branches—to India, to China, and to Australia. The first two were terminable at twelve months, the last at two years. Now, he thought that the notices should have been framed in such a form that all the three contracts should have terminated at the same time. The arrangement of the Government had given the Peninsular and Oriental Company entire command of the two most important services, and it would be impossible in the course of another year for any other Company to enter into a fair competition with them for the performance of the third service. The period of the commercial depression last year was a most unfortunate one in which to ask for any competition in this matter. The prudent thing to have done would have been so to arrange that the contracts for the three services should terminate at the same time; but if this contract were entered into, the Peninsular and Oriental Company would acquire such a hold upon the carrying trade of the East, that it would be impossible that any new Company should compete for the Australian service. With regard to the term proposed, twelve years was much too long. The attention now paid to the economical consumption of fuel justified the belief that an important saving would before long be effected in that respect; and it was preposterous to imagine that within so long a term we would not be able to obtain at less cost than at present an increased rate of speed. A speed of ten or eleven knots an hour was perfectly inadequate to the requirements of such a service as this. Then as to the terms of payment, it was to be remembered that the £400,000 a year minimum was not for the entire service; it was only for the services to India and China; so that in the course of another year another sum would be wanted for the Australian service. He objected to the partnership arrangement proposed between the Government and the Company—such a contract was contrary to all business principles. The profits of steamships arose as much from economy and good management as from high rates of freight; and it was known to every mercantile man that the effect of the long enjoyment by this Company of a monopoly had shown itself in a less rigid economy than would have been maintained in their service had they been dependent on ordinary mercantile business. How could they expect the Company to be economical when they had the Government funds to fall back upon? Look at the one-sideness of the arrangement. This country might be called upon to pay 3¾ per cent, to be divided among the shareholders. On the other hand, if the speculation were an extremely good one, and the Company divided 9 per cent, the country would only receive £6,000 a year as their share of profits, and £12,000 if the Company paid 10 per cent. In such a partnership, the Government ought to have representatives in the direction of the Company, but he objected to the partnership altogether. As between individual partners there might be sufficient supervision and control; but what control was to be exercised on the part of the State in this case? The cleverest accountant might have access to every book and every document belonging to a steam packet company, but it would be impossible for him to give an opinion that would be worth having upon the economy of management, unless he went to the outports and examined details there. On the whole, as a business man, he thought the contract injudicious and unbusiness-like. He was not prepared to take any step on this occasion; but if any hon. Member chose to take a hostile step, he certainly should go into the same lobby with him.

Mr. SAMUDA felt that there were many points which had escaped the notice of previous speakers, which the House ought to be put in possession of before coming to any conclusion. It must be admitted that, whatever blame might have attached to the Government, the position in which the House now stood was much better than that in which they found themselves last year. Last year the contest was for the existence of any contract at all in this country, the question being then whether they should allow the contract to pass out of the country, to the ruin of the Company. He readily admitted that he found in this contract two conditions which he would rather have seen altered. He should have been glad to have seen the contract altogether freed from the partnership clause—which in his opinion would not work well—and that an increase in the rate of speed should have been contemplated, if not immediately given. The rate of speed for which the contract provided was a low one. He still held strongly to the opinion he had expressed before the Committee, that there would be no difficulty in increasing the rate of speed on these lines from 10 knots an hour upon the European side and 9½ on the Indian side by at least 1 knot, and possibly 1½ knots an hour. In so important a contract as this, and spreading over so long a period, it would clearly have been wise to introduce a condition giving the public the advantage of an increased speed. But he begged to remind his hon. Friend and the House that one effect of such condition would be to involve a very large additional outlay on the part of the Company. He pointed out in his evidence before the Committee that the increase of speed to 12 knots on the Mediterranean and 11 knots on the Indian side would involve in the item of coal alone an additional expenditure of £40,000 a year; that vessels generally of 2,500 tons burden would have to be provided if that increase of speed were at once demanded; and that the disbursement of capital for vessels which the Company did not now possess would be represented by a sum of between £500,000 and £600,000. But a totally different state of things existed now from what they all believed to exist when he gave his evidence before the Committee. At that time, he believed the Peninsular and Oriental Company was in a flourishing condition and capable of paying a large dividend. It was only then beginning to experience the effects of French competition, and it took him greatly by surprise to hear of the altered position of the Company. There was therefore this mitigating circumstance, which should not be overlooked—that though the Government were driven into a corner by having no one except the Peninsular and Oriental Company to deal with, they knew the position of the Company to have been such that with their present amount of subsidy they were not able to get a return for their capital. There was in this fact, therefore, a fair starting-point for a new arrangement. It had been mentioned in the debate, and he had seen it stated in the public press, that it was proposed to give the Peninsular and Oriental Company a subsidy of £400,000 in lieu of £230,000. But it was a mistake to suppose that the increased subsidy was given for the same service. The £400,000 was given for a much larger amount of service, and the extra mileage alone would be represented by a sum of £80,000, and therefore the true figures would be £320,000 against £230,000, and the difference would really amount to only about £90,000. There was another point also to which he wished to call attention. During the discussion last year, when reference was made to the financial state of the Company, it appeared that the working expenses exactly balanced their receipts, and that there was nothing left in the shape of dividend. But that did not represent the real state to which the Company had been reduced; because, with a laudable desire to make their position as little damaging as they could, in the hope that future years would retrieve it, he was informed that no charge whatever was made for depreciation of stock, which would have been represented by a sum of £75,000 if it had found its way into the account. Therefore, if the same state of things existed next year which did exist in this, out of the £400,000 the Company would have had only £15,000 for dividend for their shareholders. He did not think, then, that either the Government could be said to have been careless in what they had done, or the Company to have taken an unfair advantage. Now, £400,000 was by no means an excessive subsidy for the work that was to be done. It was not excessive whether looked at from the point of view of the probable amount it represented above expenditure, or if considered with reference to mileage. It would represent only about 6*s.* 1*d.* per mile that was run, which was a low rate compared with what was paid to other Companies. He quite agreed with those who held that the partnership clause was open to objection, and wherever he had seen it tried it had turned out ill. It was tried in the West India Docks, and there it was found that because the Directors were not allowed to increase their dividend beyond a certain amount they were always incurring some unnecessary expenditure. But more than that, it had this great disadvantage—that it prevented the Government from acquiring useful information which at the end of twelve years might be rendered available with regard to any future contract. It would have the effect of disguising the real state of the Company's profits; he was convinced that the subsidy would not be restricted to £400,000 a year, as argued in the document put forward by Mr. Scudamore, the Post Office examiner, and that the Government must be prepared to pay, if not the whole, at least a very large portion of the additional £100,000 very frequently during the continuance of the contract; why not, then, accept the position at once, agree to the regular payment of a fixed portion of this supplemental sum as a certainty, and obtain in exchange for it an increase of speed — that was the suggestion which he wished to throw out. The public in his opinion had a right to obtain from the Company—not immediately, but at some future time—an increase of speed, and the Government might very well before closing the contract insert a provision that whenever they considered the period had arrived for increasing the speed by 1 knot or 1½ knots an hour they should have the right to demand such increase upon paying the Company a sum which might now be agreed upon by all parties. He would merely add that the rates of speed which he had recommended, and which could only be obtained at greatly increased cost, were exactly those which were suggested by the Committee, and were about what the Companies—who were at present most highly subsidized—were in the habit of going.

MR. THOMAS CAVE thought there was no fault whatever to be found with the Government for the amount of subsidy agreed upon. The hurricane at St. Thomas was so fresh in the memory of all that they could not overlook the fact that those Companies were exposed to great losses; and therefore it was necessary that they should be not only fairly but liberally remunerated. In concluding the contract for twelve years the Government seemed to have forgotten—and no hon. Gentleman had brought it under the notice of the House—that the American Government had very largely subsidized a system of railways which would bring China and Japan very much nearer England than at present. During the recess he had himself travelled upwards of 500 miles over that line of railway, and thousands of men were now engaged in its completion. The result would be that sooner or later our mails would have to be carried by that route. The saving of seven days in time and all the risks of the sea would weigh with the hon. Gentleman opposite who had charge of the contract. On the ground he had stated he regretted that the contract had been concluded for so long a term. With regard to that contract the Company were allowed to deduct 5 per cent for depreciation of ships and 5 per cent for insurance. Everyone knew that the insurance fund often yielded a large profit; but if it continued to do so that profit, as he interpreted the contract, would be pocketed by the Company, whereas the Government had omitted to provide that if it showed a loss no claim should be made on them. This he regarded as an important omission, for if the Company's losses exceeded 5 per cent the Government would be called on to make them up.

MR. CHILDERS said, that while he was prepared to criticize the conduct of the Government in concluding the contract in some particulars, he admitted that the Resolution could not but be adopted by the House. In the absence, from indisposition, of the hon. Member for the City (Mr. Crawford), who had wished also to support the adoption of the Resolution, he desired to offer a few remarks on the subject, it having been his duty to examine the witnesses who gave evidence before the Committee of 1865, and to assist the hon. Member in the preparation of the Report. That Committee comprised not only representatives of the Government and others who were anxious for economical arrangements, but mercantile men connected with the East, and a representative of the Company which was now about getting a fresh contract, and considerable weight attached, therefore, to the recommendations which they unanimously adopted. After a careful recital of the facts, the Committee thus summed up their recommendations—

> "That, while it has not been expedient hitherto to add to the expense of the postal communication with India, by establishing a more frequent service to Bombay, in addition to the existing services to Madras and Calcutta, yet, having regard to the facilities already afforded by the railways under construction in India, and to the prospect of the early completion of the main lines of communication connecting the port of Bombay with the Presidencies of Calcutta and Madras, the North-West Provinces, and the Punjab, the time has arrived when tenders should be invited for a weekly service to Bombay alone, and the separate postal service between this country and Madras and Calcutta should be discontinued."

Then came recommendations as to the speed of future steamers, which he would not repeat. The sixth recommendation was as follows:—

> "That Her Majesty's Government should take into their early consideration the arrangements to be made, in consequence of the proposed separation of the Indian service, for maintaining a fortnightly or half-monthly service to China, and a monthly or four-weekly service to Australia, having regard to any facilities which may be afforded by the monthly service to China now performed by the Messageries Impériales from Marseilles."

What was the meaning of the first of these recommendations? That the railways being nearly finished which connected Bombay with Madras and Calcutta, it was desirable to contemplate the relinquishment of the line of steam communication to India by Galle, and to retain only the line with Bombay, and thence across the Peninsula by railway to Calcutta and Madras. The questions he put to Mr. Frederick Hill, the witness examined on the part of the Post Office, tended to show the necessity of establishing this contract only in connection with the completion of the Indian railways. He asked Mr. Hill—

> "Would it not be prudent to postpone any definite contract between the Indian Government and with the Peninsular and Oriental Company for the service to Bombay until they were assured as to the probable passenger service between Bombay and Calcutta?—I think it would be pru-

dent to defer entering into any permanent contract—that is to say, for a long series of years; but if the contract were terminable, as our Australian contract is, upon a notice of two years, I do not think that there would be any necessity for delay. When you use the word 'permanent,' would it not be prudent to delay any permanent arrangement for the service between England and Bombay with the Peninsular and Oriental Company, or with any steam-boat company, until there were the means of testing what would be the facilities for passenger traffic from Bombay to Calcutta?—Certainly. And if those facilities should be greater, do not you think that the Peninsular and Oriental, or any other steam-boat company, would be able to tender for much less than what they said some years ago they would tender for for the additional service to Bombay?—No doubt that would be so."

The Chairman told Mr. Hill the Committee had it in evidence that the line of communication between Bombay and Calcutta and also between Bombay and Madras would be completed within a reasonably short time, and he (Mr. Childers) thereupon asked Mr. Hill whether, this being so, it would not be well—

> "Not to contract for a fixed sum for a long period until that question is tested?—Not for a long period; but if the contract were terminable upon a couple of years' notice that might be done."

The Committee thus had the opinion of Mr. Hill who represented the Post Office, and himself, as representing the Treasury, that no permanent contract ought to be made over a number of years certain until there had been an opportunity of ascertaining the facilities of passenger communication offered by the completion of the railways between Bombay and Calcutta and Madras. Unfortunately, instead of postponing the contract with this view, the Government had, in the teeth of the recommendations of the Committee, and of the opinion of their own officials, called for a tender on the terms of a permanent service to Bombay and Calcutta, without waiting to see whether passengers would take that route or the old route by Galle. The effect has been not only an extravagant mileage service, but the absence of all competition for the contract. A subsidy whether of 3*s*. or 10*s*. a mile would not pay a steamboat company unless they got the passenger traffic as well. As long as the Peninsular and Oriental Company had possession of the passenger traffic, it was obvious no other company could tender on the basis of the Government subsidy, and it was clear that no one but the Peninsular and Oriental Company could get the passengers until the railways were open. The Government had thus entered into a contract, not on the basis of a weekly service to Bombay alone, as the Committee recommended, but a contract for twelve years, retaining the unnecessary service, in a postal point of view, from Bombay to Galle, Madras, and Calcutta. In fact, the whole policy recommended by the Committee was passed by in the arrangement made by his hon. Friend. But he should be told that there was no choice in the matter, the Company being the only tenderers for the service. But this was the result of the tenders being called for prematurely. Last Session he called the attention of his hon. Friend to the fact that it was not advisable to give the Peninsular and Oriental Company this early and premature notice, but to give notice under which all their contracts would be determined at the same time. Some of these contracts could be determined after one year's notice, while others required two years; and, considering that the Indian railways were not finished, it was desirable to give a notice not earlier than two years, so that the railways might have some little additional time to complete their communication. But just as with respect to the Indian service they had been too precipitate, so that they had unwisely deferred the notices for the Australian line, no notice had been given with regard to the Australian service, which cost £120,000 a year, and the Government would have to advertise for tenders for that service at a time when the Peninsular and Oriental Company would be in entire possession of the field. He now came to the other question, that of the French Company. His hon. Friend was questioned once or twice on that subject last Session, and he answered that he did not intend to make overtures to the French Government, but that he meant to call on the Messageries Impériales to tender for the service to China. That, he took the liberty to tell his hon. Friend, was very injudicious, for it was impossible for a service which was sometimes half military in its character, to be satisfactorily performed by a foreign company. It was, however, he admitted, the view of the Post Office that this should be done. He (Mr. Childers) asked Mr. Hill before the Committee—

> "You consider that the last course to take would be to give the Messageries an opportunity of tendering for the alternate service?—Yes. You would not exclude, of course, the answer of the French Government, if they would agree to a rate upon letters for the alternate service?—There is no occasion to put that question, because

we have it in the convention that we are both bound to carry letters for each other. For the alternate service once in four weeks, instead of once a month?—No. Probably it would be prudent to ask that question before anything was definitely done?—Yes; I think it would."

He (Mr. Childers) had thus urged upon the Post Office, who unluckily hankered after a contract with the French Company, whether it would not have been better, before anything was done in the China service, to ask the French Government to make arrangements for alternating a weekly service with ours, as was at present satisfactorily done in the alternate fortnightly service to Brazil and the River Plate. But, although even Mr. Hill thought it desirable to make an arrangement with the French Government, Her Majesty's Government made no overtures to that Government for a year or more. His hon. Friend relied, instead, upon the broken reed of asking the Messageries Impériales to tender; and then, having failed, the present contract was agreed to, instead of that shadowed out and recommended by the Committee, and the country found itself in the position of having to pay for two services instead of one. The Government had, he thought, committed an error of judgment in not adopting the recommendations of the Committee, and the result was that there was no alternative but to adopt the proposal of the Peninsular and Oriental Company, large as was their claim, and connected as it was with the guarantee of a certain dividend. He (Mr. Childers) hoped that such an arrangement would not be made a precedent for future arrangements. There was no doubt a precedent for this in the case of the Dublin mail, but that was an experiment on a small scale, and carried on daily under the eye of the Government. The present agreement stood on a very different footing, and if it were to be made a general rule that the Government were to enter into such speculations of possible loss and profit, the Government would, he feared, make all the loss, and the companies reap all the profit. On those grounds, and on those grounds only, he felt bound to acquiesce in the course taken by his hon. Friend. He thought it was much to be regretted that his hon. Friend did take that course; but he felt it only right to say, after reading carefully the whole of Mr. Scudamore's Report—and he wished to speak as highly as any one could of the merits of that officer, not merely in connection with postal affairs, but in other matters which came before that House, in which his ability and foresight had certainly been of great public advantage—after carefully reading Mr. Scudamore's Report, he did not see that it would have been possible, under the circumstances, to make an arrangement upon better terms than those now made. The Peninsular and Oriental Company had always done their work admirably, and the public would be safe in their hands. At the same time, a contract for twelve years, coupled with that condition as to the possibility of some profit coming to the Government, and also of some loss coming to them, was not such an arrangement as he thought the Treasury ought to have made; and therefore, in assenting to their arrangement, he did so with considerable reluctance.

Mr. M'LAREN said, that the Peninsular and Oriental Company asked £500,000 a year for a contract of six years, and that sum was professedly reduced to £400,000 for a contract extending over twelve years. But if it could be shown, as it easily could be, that the Government would really have to pay £500,000 for the contract extending over twelve years, it was manifest that, instead of having obtained an advantage by the professedly lower rate, which was in reality no lower rate at all, the alleged concession to the public was an injury instead of a benefit. The hon. Member for Tavistock (Mr. Samuda), the only gentleman who had defended the contract with the Company, said their financial condition was such that he should not be surprised if it were found that their available dividend would be reduced to £15,000 a year, even after they got the £400,000 from the public. But unless their dividend exceeded £60,000 a year, the public would have £100,000 more to pay. If the dividend were £60,000 a year that would yield 2¼ per cent, and £100,000, making up the dividend to £160,000, would yield 6 per cent. If the hon. Member for Tavistock were to prove that, instead of £15,000 — the dividend he anticipated under certain circumstances — their dividend should even be £60,000, then it followed that the public would have to pay them, besides the £400,000 agreed upon, £100,000 over and above that amount. Therefore, after all the circumlocution and mystification in which the matter was enveloped, the public had to pay the £500,000; and yet they were told that they were to have an advantage from extending the contract to twelve years! Any one who read the papers all through would easily see that the Company, and not the public, would be really benefited by that prolonged term. He thought it would be better for the Treasury to accept the first offer of the Company for the £500,000, and to have no partnership with them, with its illusory chance of a profit. They were going into partnership with the Company under the idea of probably gaining £6,675 a year; and the *quid pro quo* they were to give for that mere ideal and unsubstantial advantage was that they were to come under a real obligation to pay £100,000. A more objectionable and improvident arrangement he could not imagine, and he must strongly protest against it. The great argument of the Peninsular and Oriental Company against the small sum they were previously allowed was that the French Company were enabled to undersell them. But the effect of the new arrangement with the Peninsular and Oriental Company would be, by doubling their subvention, to enable that Company itself to undersell all the rest of our own shipping interest. In palliation of that improvident arrangement, by which the Company were to receive £500,000 instead of their former £230,000, the hon. Member for Tavistock said they were to sail, at a probable cost of £80,000, 300,000 miles more than they did before, and that they would also have to incur an additional cost of £40,000 for the extra price of coal. But the Government did not want them to run the 300,000 miles more; and even if they did so, in place of giving them £120,000 for these possible increased charges, the Government were giving them £270,000. Nobody could allege a reason for giving away the other £150,000, except that the Government had got into such a fix as to be perfectly helpless, and the Company was able to dictate terms to them. On these grounds he could not agree to the Vote.

MR. HUNT said, that any stranger coming down to the House and listening to the statements made and the criticisms passed that evening on that contract must at first have imagined that all the hon. Gentlemen who had strongly protested against it were largely engaged in and represented the Indian trade, and were naturally indignant that the arrangements made by the Government for the conveyance of their commercial correspondence would not answer their purpose. But if such a stranger were told that with, as he believed, but one exception, all those who had found fault with the Government did not belong to the great mercantile community in this country which was connected with the Indian trade, he would surely ask where were those Members who were really connected with that trade? The fact was that the hon. Gentlemen most interested in that subject were perfectly content with the arrangement made by the Government; they acquiesced in it, and, instead of coming there to protest, they had gone quietly away to their domestic or other occupations. He regretted that his hon. Friend the Member for the City (Mr. Crawford), who was Chairman of the Committee on this question, was prevented by the state of his health from giving his opinion on the arrangement made by the Government; but he believed that hon. Member would have expressed himself entirely satisfied with it. He did not find fault with the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), the universal critic of the House, for exercising his talents on these occasions, and certainly his remarks that night had been distinguished by his usual acumen. Neither did he complain that the hon. Gentleman opposite (Mr. Childers) should have criticized as severely as he could any arrangement made by the Government which succeeded the one to which he had personally belonged, because that was only the legitimate province of the Opposition, and when he himself changed sides in that House with the hon. Gentleman no doubt he should do the same. But the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) had produced a very long bill of indictment against the Government. But if the Government were in the position of an ordinary delinquent at the bar, they could put in a plea of *autrefois acquis*, because nearly all the objections which were now urged against the course taken by the Government had been disposed of in the discussion which had taken place last Session; but as many of them had been again advanced, he felt it to be his duty once more to reply to them. He would, in the first place, then, observe that he looked upon it as being a great disadvantage to the Government that in the original contract — with which they had nothing to do—the period of one year was fixed as that at which notice of its termination should be given. It was, however, contended that they should have given notice some time before—or, at all events, some private notice—that it was the opinion of the Government that the contract ought to be terminated, and that it was likely they would in due course act upon that opinion. Now, that was exactly the course which had been taken. As he had stated in the House last Session, he invited before giving notice the Chairman of the Committee to call upon him at the Treasury, where the question was discussed between them as to when notice should be given. His hon. Friend on that occasion expressed it to be his opinion that notice ought to be given. That being so, he thought he had disposed of the charge that the Government had not acted in accordance with the views of the Committee; because if its Chairman was not to be regarded as an adequate exponent of those views, he did not know who was. Besides, as his hon. Friend opposite (Mr. Childers) must see, the Government had no choice in the matter, because, after acting on their own responsibility—for he had no wish to throw the slightest responsibility in the matter on the Chairman of the Committee—they had given private notice to the Company that they were likely before long to give formal notice that they would terminate the contract, the representatives of the Company informed them that they could not go on losing money as they were doing, and that if the Government did not give them notice they must give notice to the Government. His hon. Friend, he might add, had read certain extracts from the blue book expressing the views of the Committee; but there were other paragraphs of the Report which would, he thought, be found to place the question in a different light. After the paragraph in their Report which his hon. Friend had first quoted, the Committee went on to say—

> "Yet, having regard to the facilities already afforded by the railways under construction in India, and to the prospect of the early completion of the main lines of communication connecting the port of Bombay with the Presidencies of Calcutta and Madras, the North-West Provinces, and the Punjab, the time has arrived when a tender should be invited for a weekly service to Bombay alone."

That paragraph pointed not to the time when the railway should be actually completed, but to the time then present, when there was a prospect of early completion, so that the very words of the Report concurred with the views of the Chairman that notice should be given. [Mr. Childers: The Report says, "Tenders should be invited."] Yes; but how, he should like to know, could tenders be invited before notice had been given of the termination of the existing contract? The Report went on—

> "And that Her Majesty's Government should take into their consideration the arrangements to be made in consequence of the proposed separation of the India and China and the Australian Mails."

There was, he would point out, a marked distinction drawn between the giving of notice for the termination of the contract for the India and China and that for the Australian mail. With reference to the former, the words used in the Report were that "the time had arrived when tenders should be invited;" while in the course of the latter the recommendation was "that Her Majesty's Government should take into their early consideration the arrangements to be made." In acting as they had done, therefore, the Government, he must again repeat, proceeded entirely in accordance with the views of the Committee. It appeared, however, that his hon. Friend opposite differed from the Chairman of the Committee, and that being so, he ought, he thought, to have protested against the words used in the Report.

Mr. CHILDERS: My hon. Friend gave me a very different impression of the statement which he made from that conveyed by the hon. Gentleman opposite.

Mr. HUNT: He did not, as he had said before, seek to throw the slightest responsibility in the matter on the hon. Member for the City of London; indeed, his right hon. Friend the Chancellor of the Exchequer had last Session expressly stated that the Government had no intention of the kind, and he was sure that if his hon. Friend were present he would confirm the accuracy of the statement which he had made. Such, then, as he had described, was the state of the case, so far as giving notice was concerned. But his hon. Friend opposite further contended that the Government ought to have carried out the views of Mr. Frederick Hill. [Mr. Childers: I said they were the views of the Post Office.] The hon. Member for the City of London, however, last Session protested against the Government being influenced by the views of Mr. Frederick Hill, for he declared it to be his opinion that if they were to conduct the postal arrangements of the country under his advice they would be sure to do wrong. Again, it was made an accusation against the Government that they had placed themselves altogether in the hands of the Peninsular and Oriental Company, that they were perfectly helpless, and that they must pay whatever sum that Company might demand. Was that the tone of the discussion which took place last Session? If he were not mistaken, he then heard a great deal about the poor, trodden-down Peninsular and Oriental Company, and of the necessity which there was that the House should come to its rescue, and to preserve it from the ruin which it was threatened with, owing to the policy of the Government. What was the result? Why, that the Company naturally looked upon it as quite clear that the House of Commons was of opinion that they ought to be more liberally remunerated, and that they were entitled to ask for very handsome terms. Now, all he could say with regard to the matter was this, that it was, in his opinion, the duty of the Government to make the best terms they could, while he, at the same time, most readily bore testimony to the great services which the Company in question had rendered to the country during the many years in which they had been engaged in conducting our postal communication with the East. That duty they had discharged in a manner which was highly creditable to them, and he should have been sorry to see the Company break up by reason of the Government not being able to enter into any satisfactory arrangements with them. As to the negotiation with the Messageries Impériales, since they had made no tender and the matter had fallen through, he should merely say that, while his hon. Friend opposite seemed to think that the 6th paragraph in the Report contemplated a service in substitution of ours, the hon. Member for the City of London construed it as meaning a service in addition. But then it was said that the Government had acted foolishly in entering into arrangements for the service to Bombay before the railways were completed. On that point he would read a note appended to the Memorandum sent by the Post Office to the Treasury—

> "The superiority of Bombay as a point of arrival and departure for Indian mails, even before the completion of the railways between Bombay and Calcutta and Bombay and Madras, has been pointed out by the Select Committee on East India Communications (pages v. and vi. of their Report), by Lord Canning, by the Director-General of the Post Office of India in the years 1860-1861 (*vide* pages 231 to 234, 241 to 244), and by the Director-General of the Post Office of India in 1865 (*vide* pages 280 to 282 of the Appendix to the Report of that Committee."

He was told that even now, with a journey of 200 miles, the mail service by way of Bombay was far superior to that by Calcutta. His hon. Friend had said that it was impossible for any one to tender for the service to Bombay until those lines were open. As the lines were expected to be open in a short time, any enterprising Company might, he thought, make a tender, although the lines were not open. All this part of the case, however, turned on the question, respecting which contradictory testimony was given before the Committee—namely, whether the Great India Peninsula Railway could carry all the passenger traffic, or whether the Peninsular and Oriental Company's steamers would carry any of it; and the officers of the latter Company maintained that when the railway was finished there would still be a great passenger traffic to Calcutta. That was a question which time would determine; but at all events, there was a public advantage in the existence of two routes, as competition tended to keep down the rate of fares. With respect to what had been called the partnership question, he confessed that at first sight a partnership arrangement did not seem desirable—but the alternative was the payment of £500,000. This was not an unlimited partnership, for there was a certain amount beyond which the Government could not be called on to contribute; and as his hon. Friend was obliged to admit, this was not the first occasion when such a partnership was made. There was a partnership of a somewhat similar character in the case of the Holyhead and Kingstown contract. In reply to the objection that there was no security that the Peninsular and Oriental Company would care to raise their dividend above 6 per cent, he thought they might safely rely upon the watchfulness of the shareholders; they were a very numerous body, and having been accustomed to divide 10 per cent, they were not likely to sit down perfectly satisfied with a dividend of 6 per cent, even though it was guaranteed by the Government. Then, again, it was said that the speed prescribed for this service was obsolete, and that it was too slow and behind the age. Now he believed that in the discussions which had taken place in that House, those most interested in the question said that they looked to regularity of service more than to greater speed, and that the telegraph wire would to a great extent displace the Post Office in cases where great despatch was desirable. Nevertheless, the increase of the rate of speed, if it should be deemed desirable, depended solely on a question of money. After what he had stated, he trusted that the House would not think that the Government had shown in this matter such dense stupidity as had been attributed to them, and he hoped that they would be able to come to an unanimous vote on the present occasion.

Mr. GRAHAM said, that as the Secretary to the Treasury had observed that no one connected with the mercantile interests of India had objected to the contract, he, as a person deeply interested in Indian trade, wished to state that the hon. Gentleman was in that respect under a false impression. He, for one, greatly objected to the contract, and to the slowness of the proposed rate of speed; he objected to an arrangement which made the Government a partner in a mercantile Company, and he objected that the contract was made for so long a period as twelve years. He should have preferred to pay the Company at a higher rate for a shorter period.

Mr. J. B. SMITH also objected to the length of the contract. With the prospect of a great extension of railway communication in India, twelve years was much too long a term. He hoped the Government would still endeavour to reduce the term to six years, paying a larger sum to the Company. Unless he got a pledge to that effect he should divide the House.

Question put.

The House *divided*:—Ayes 55; Noes 13: Majority 42

EAST LONDON MUSEUM SITE BILL.

Bill read a second time, and *committed* to a Select Committee:—Lord Robert Montagu, Lord John Manners, Mr. Ayrton, Mr. Butler, Mr. Layard, and Mr. Lanyon; Three to be the quorum:—Leave given to the Committee to sit and proceed forthwith.

LOCAL OFFICERS SUPERANNUATION (IRELAND) BILL.

On Motion of Sir Colman O'Loghlen, Bill to enable Corporate and other Public Bodies in Ireland to grant Superannuation Allowances to officers in their service in certain cases, *ordered* to be brought in by Sir Colman O'Loghlen, Mr. Pim, and Sir John Gray.

Bill *presented*, and read the first time. [Bill 17.]

RELIGIOUS, &c. BUILDINGS (SITES) BILL.

On Motion of Mr. Hadfield, Bill for facilitating the acquisition and enjoyment of Sites for Buildings for religious, educational, literary, scientific, and other charitable purposes, *ordered* to be brought in by Mr. Hadfield, Mr. Bazley, Mr. Leeman, and Mr. Akroyd.

Bill *presented*, and read the first time. [Bill 18.]

LIFE POLICIES NOMINATION BILL.

On Motion of Mr. Shaw Lefevre, Bill to enable persons to secure to their wives and children the benefit of Assurances on their lives by Nomination endorsed on the Policy, *ordered* to be brought in by Mr. Shaw Lefevre, Mr. Hibbert, and Mr. Thomas Hughes.

Bill *presented*, and read the first time. [Bill 19.]

House adjourned at half after Ten o'clock, till To-morrow, at Twelve of the clock.

HOUSE OF COMMONS,

Saturday, November 30, 1867.

MINUTES.]—Public Bills—*Second Reading*—Income Tax [16]; Consolidated Fund (£2,000,000).*

Committee—East London Museum Site* (*re-comm.*) [7].

Report—East London Museum Site* (*re-comm.*) [7].

Considered as amended—Sales of Reversions* [8].

Third Reading—Metropolitan Streets Act (1867) Amendment* [2]; East London Museum Site* [7]; Sales of Reversions* [8], and *passed*.

The House met at Twelve of the Clock.

INCOME TAX BILL.

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Hunt.*)

[BILL 16.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Hunt.*)

Mr. DARBY GRIFFITH said, that raising money in this short way was very objectionable, and in fact he looked upon it as a sort of political luxury. The necessity for this money arose not from any matter which had occupied any great interest or attention in the country. As for clerks and *employées* with small incomes, it would appear that the abstract honour of the country was a great abstraction to them. The Abyssinian expedition was an amateur expedition that had been got up as a consequence of a diplomatic discussion, and the House had expressed no real opinion on the subject. In the Committee he should move that all persons whose incomes do not exceed £200 a year should be exempted from the Income Tax that would be imposed by this Bill.

Mr. HUNT said, he had often heard talk about luxuries and about necessaries; but he had never until then heard war described as a political luxury. He would ask the hon. Gentleman (Mr. Darby Griffith) to re-consider his determination, because he should remember this was a supplemental Bill, and that it would be an exceedingly inconvenient thing to make any special exemptions. The Amendment, of which his hon. Friend had given notice, might be well worthy of consideration at the proper time, but it would hardly apply to supplemental tax, and in fact he doubted if it would be possible in this Bill to alter the terms of the original basis upon which the tax was then imposed.

Motion *agreed to:* Bill read the second time, and *committed* for *Monday.*

House adjourned at half after Twelve o'clock, till Monday.

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HOUSE OF LORDS,

Monday, December 2, 1867.

MINUTES.]—Public Bills—*First Reading*—East London Museum Site* (2); Sales of Reversions* (5); Metropolitan Streets Act (1867) Amendment* (4).

ABYSSINIA.

Message from the Commons communicating the following Resolution to which they desire the Concurrence of this House; viz.,

"That, Her Majesty having directed a Military Expedition to be despatched against Abyssinia, consisting mainly of Troops both European and Native at present maintained out of the Revenues of India, the ordinary Pay of such Troops as well as the ordinary Charges of any Vessels belonging to the Government of India that may be employed in the Expedition, which would have been charged upon the Revenues of India if such Troops or Vessels had remained in that Country or Seas adjacent, shall continue to be so chargeable; provided, that if it shall become necessary to replace the Troops or Vessels so withdrawn by other European or Native Forces or Vessels, the Expense of raising, maintaining, and providing such Forces or Vessels shall be repaid out of any Monies which may be provided by Parliament for the Purposes of the said Expedition."

The said Resolution to be considered on *Thursday* next.—(*The Earl of Derby.*)

EDUCATION.—RESOLUTIONS.

Earl RUSSELL, who had given notice to move the following Resolutions:—

"1. That in the Opinion of this House the Education of the Working Classes in England and Wales ought to be extended and improved: Every Child has a moral Right to the Blessings of Education, and it is the Duty of the State to guard and maintain that Right. In the Opinion of this House the Diffusion of Knowledge ought not to be hindered by Religious Differences; nor should the early Employment of the Young in Labour be allowed to deprive them of Education:

"2. That it is the Opinion of this House that Parliament and Government should aid in the Education of the Middle Classes by providing for the better Administration of Charitable Endowments:

"3. That it is the Opinion of this House that the Universities of Oxford and Cambridge may be made more useful to the Nation by the Removal of Restrictions, and by the Appointment of a Commission to consider of the better Distribution of their large Revenues for Purposes of Instruction in connection with the said Universities:

"4. That the Appointment of a Minister of Education by the Crown, with a Seat in the Cabinet, would, in the Opinion of this House, be conducive to the Public Benefit:"—

rose and said: My Lords, in rising to move the Resolutions of which I have given notice on the subject of Education, I suppose there are none of your Lordships who would at all question the importance of that subject; and I shall endeavour to explain, as shortly as I can, the reasons which have induced me to bring forward the question in the shape in which I have placed it upon the Paper. It seems to me that we are often placed in a very unpleasant, not to say an humiliating, position when Bills are brought up to this House at a late period of the Session. I remember being very much struck, soon after I had the honour of a seat in this House, by a statement of the noble and learned Lord, now on the Woolsack, when several Bills were brought from the other House relating to the amendment of the Criminal Law. The noble and learned Lord stated that the amendment of the Criminal Law was a very important subject, and was one upon which this House was peculiarly qualified to form an opinion; and one on which he might have added, that the House, if it liked, could have the assistance of the Judges—but that owing to the late period of the Session, he did not think it advisable to propose any Amendments, and he therefore consented to the Bills. We have since had other Bills of great importance brought to this House at so late a period that it appears to me the House is placed in this position—that your Lordships must either assent to these Bills without examination, or else must reject them without consideration. It would be much better then, if this House could be enabled in some way or other to take a more deliberate view of questions of this magnitude, which so deeply concern the condition of the country and affect the welfare of the people. What I am proposing on this occasion is not to bring before your Lordships the details of any plan, still less to interfere with the privilege of the House of Commons of providing the means for any extended education, but to lay before your Lordships certain principles which, I think, ought to be the guide for any legislation on this subject, and which can alone carry your Lordships to safe and useful conclusions.

My Lords, it appears to me that the first matter with which we have to deal, is the deficiency of education that now exists, and I will take a description of that deficiency from a draft Report which was proposed, though not assented to, in the Committee of the House of Commons which sat in 1865-6 on the subject of the Education of the Poor. It was stated in that Report that there are more than 11,000 parishes which derive no assistance from what is called our educational grants, and it is stated that the population of these parishes may be fairly estimated at not less than 6,000,000. According to the usual computation now made, that one-sixth of the population ought to be at school, that would leave a deficiency of 1,000,000 among those who ought to be receiving the blessings of education. In a speech lately published of Mr. Bruce, who in the former Government filled the office of Vice President of the Committee of Council on Education, it is stated that of the population of England and Wales amounting to 21,000,000, 3,500,000 ought to be at school. But only 2,450,000 of these are borne on the books of all the existing schools, including those assisted and unassisted by the State; leaving, therefore, 1,050,000 unaccounted for. I do not wish to trouble your Lordships with any long array of figures; but I may state that there are in existence statistics showing the number of persons who could not write their names when they were married, and these are so unevenly distributed that of those married at St. George's, Hanover Square, there were only 3 per cent of each sex who could not write their names in the marriage register, while of those married at Bethnal Green, 34 per cent were in this state of ignorance. The proportion generally over England and Wales may be taken at about 30 per cent. These figures, however, do not exhibit completely the deficiency of education which exists, because there are many who have attended at school very early in life, having been kept there but a very short time, but who entirely forget what they have learnt there, and afterwards relapse into complete ignorance. It appears to me, then, I confess, that this state of things justifies some proceeding of a very wide and comprehensive nature to carry the blessings of education much further than at present. In the first Resolution I have inserted the word "moral" to prevent the cavil which might be made against any supposed legal right of a child to be educated. It accordingly runs thus—

> "That in the Opinion of this House the Education of the Working Classes in England and Wales ought to be extended and improved: Every Child has a moral Right to the Blessings of Education, and it is the Duty of the State to guard and maintain that Right."

In 1835, in the discussion which took place when Lord Brougham proposed a series of Resolutions in this House—which, I believe, were agreed to, as they have certainly formed the foundation for measures which have since been passed—Lord Denman said, and without any rhetorical phrase, that he very seriously doubted how far the State was justified in inflicting punishment for offences against the commission of which they had taken no pains to guard. I conceive that this statement is perfectly well founded; and it does seem to me that to allow children to go out into the streets of towns and villages without any education whatever, totally ignorant, as in many cases they are, of the name of God or of Christ, and knowing nothing whatever of the laws of the country, if afterwards you punish them for any offences they may commit, when you have taken no pains to educate them, is to sanction a degree of injustice which ought not longer to continue. I believe the people of this country are perfectly right when they say, "If we are ignorant, why do you not educate us?" I believe they are quite justified in making that claim, and that the principle is one which ought to be acted upon by Parliament.

The next question that arises is as to the manner in which we are to educate these children. And here we are met with the difficulty, how we are to provide means for the establishment of schools that will reach these children throughout all the districts of England. This is no impracticable object. It has been done in other countries. In Prussia about one-sixth of the people are receiving education; it is done in France; it is done in Scotland under a law of 1697 which established parish schools; and it is done to a great extent in Ireland. I was assured by a person possessing an intimate knowledge of the country that "you could not go two miles in Ireland without finding a school." That statement may have involved some exaggeration; but on consulting others who had official cognizance of the circumstance I was told, "If you put it at every three miles, very likely it may be the truth." These facts show, at all events, that it is possible to establish schools in every part of the kingdom. The question as to how funds for the education of the people are to be provided is one that peculiarly affects the House of Commons, and therefore it is not my intention to enter into it further than to say that it must be done either by local rates or by Parliamentary grants, carried to a much greater extent than they have hitherto been carried. The proposition to meet it by a rate was introduced last Session in a Bill brought in by the Gentleman I have already mentioned, Mr. Bruce, in the other House. In that Bill, which was entirely permissive, Mr. Bruce proposed to enable any borough or district to levy a rate for the purpose of maintaining existing schools, or where necessary of erecting and maintaining new schools. I think it is a proposition which can hardly be refuted that if persons themselves wish to establish a school they should be at liberty to levy a rate for this purpose. This, however, might not be sufficient; and then comes the question, whether it may not be necessary to supplement the rates by further and larger grants from the general taxation of the country. I own that I think both sources must be applied to. But we need not now discuss that branch of the subject. A proposition with regard to local rates was embodied in a very able Report made by the Commission issued in the time of the late Duke of Newcastle. The Government of that day did not adopt the Report, or rather postponed its consideration. But the late Sir George Cornewall Lewis, who applied himself very seriously to this question, and whose judgment on the subject ought always to be respected, said that the fault in the Report of that Commission was that it did not propose to give local control; and he further observed, that it was perfectly clear that if local rates were levied for the purposes of education the persons who paid those rates were entitled to decide in what manner they should be applied.

The next question is as to the improvements to be made. I do not wish to enter into detail; but there are many, and include the restoration of arrangements which existed in former times, but which are now partially or wholly abandoned; among these is the exceedingly useful institution of pupil-teachers, of whom the number has lately very much decreased. Masters also have decreased; and the question is, as to whether those not educated at the training schools should be allowed to participate in the grants at the schools of which they become masters. That is a very serious question. I am myself in favour of certificated masters, but I think the question of certificated masters should not be so exclusively dealt with as it has been; and, at the same time, I think that the pupil-teachers should receive greater encouragement.

THE DUKE OF MARLBOROUGH: Does the noble Earl think that the system of certificated masters should not be invaded in any way?

EARL RUSSELL: Yes, I am of opinion that the certificated masters ought not to be invaded directly; but, at the same time, there might be other schools of a superior kind whose masters might be at liberty to secure a degree from the London University, something similar to what is given to other persons who take degrees for higher classes of education. But I was about to say that there is another great improvement which might be adopted, and that is the system of half-time in schools; the giving of three hours instead of five or six for the purposes of education. Mr. Chadwick, who has written much upon this subject, has transmitted to me a speech made by him in the Academy of Moral and Political Science in Paris, a part of the great establishment of the Institute; in it he says, from experience and various facts, that the plan of dividing the time of factory children between work, schooling, and recreation has been most successful, and he says that those children who have attended school for three hours a day only, being persons of tender age, are advanced in knowledge quite as much in the shorter period as those who nominally give an attendance of six hours. This short time system is one of the improvements that I think should be adopted.

I now come to a question of very great importance, which is, perhaps, likely to prove the grand difficulty of the matter as it at present stands, and that is the question of religious instruction in schools. This is of so much importance that I think it necessary to state what appears to me to be the true principle which should have been adopted by Parliament a long time ago, but which, at all events, should be adopted at the present time. In the olden times before the Reformation there was one Church and of course but one system of education; in the time between the Reformation and the Revolution there was a constant and bitter struggle going on between the Church and Dissenting bodies of various kinds as to the manner in which education should be conducted. By the Toleration Act all these Dissenting bodies were acknowledged and permitted to carry on their services in their own chapels according to their own conscientious views, and schools were established by them throughout the country. It appears to me that from this time there ought to have been this clear separation with regard to Dissenters and the Church—that while the Church had a perfect right to insist upon its own standard and its own formularies in respect of those who had taken Holy Orders in connection with it, the Church had no right whatever to interfere with matters of civil concern, and to deprive Dissenters who had been acknowledged by the State, of any civil right. This distinction was not drawn as late as forty years ago, as we know by the history of the system of registration of births and marriages. Forty or fifty years ago, unless a person had his child baptized in the Church, he could not obtain for that child civil registration; but the act of registering a birth is not an ecclesiastical act, it is the exercise of a civil right; this applied to Dissenters of all kinds. The Baptists could not obtain registration unless the infant was baptized in Church, nor the Unitarians unless they went to the Church and received the blessing in the name of the Holy Trinity, contrary to their special doctrine and belief. In respect of marriages they were similarly circumstanced; they could not have a registration of marriages unless they submitted to the religious ceremony of the Church. By the Act passed thirty-five years ago, registration of births and marriages was made a purely civil act. In France and Italy the ministers of the Established Church have no power in this respect, except the voluntary power of registering marriages. It is entirely a civil act. If we endeavour to apply this maxim to the question of education we are, no doubt, involved in a difficulty; nevertheless, the same principles appear to me to hold good, and that all Dissenters, Baptists, Independents, and Roman Catholics alike, have an equal right to instruction as soon as the nation declares that there shall be national education. A good many years ago, when Lord Melbourne's Government introduced a plan for education by a Committee of the Privy Council, the noble Earl opposite (the Earl of Derby) quoted a decision of Chief Justice Twining, in the time of Henry IV., as follows:—"La doctrine et information des enfans est chose spirituelle." The noble Earl quoted that, I think, without remembering exactly that at that time all England had but one form of religion. But the noble Earl went on to quote another decision by Chief Justice Holt in the time of William III.

> "Without doubt, schoolmasters are, in a great measure, intrusted with the education of youth in principles, and therefore it is necessary they should be of sound doctrine, and in order thereto subject to the regulation of the Ordinary."

No doubt Chief Justice Holt was an eminent authority on the laws of this country; but those who were enemies of toleration were not satisfied with this clear declaration, and in the latter part of the reign of Queen Anne a most curious decision was come to with regard to the education of Dissenters. It was said that Churchmen sent their children to the schools of Dissenters, and that the children were in consequence perverted from Church principles, and that it was therefore necessary to prevent the practice altogether. For this purpose it was resolved that Dissenters should no longer be allowed to keep schools. Some Peers, however, thought that Dissenters should be, at least, allowed to educate their own children. Lord Halifax, Lord Somers, Lord Cowper, and others, argued, I think most justly, against this proposition; and Lord Halifax moved—

> "That since the Bill was occasioned, as was suggested, by the Dissenters endeavouring to engross the education of the youth of both persuasions, they might be allowed schools to instruct their own children."

This Motion being formed into a Question, was debated nearly three hours. The Lords Cowper and Halifax and some other Peers made several speeches for the affirmative; but the Lord Bolingbroke—at that time a great defender of the Church and of religion—the Earl of Abingdon, and the Lord Chancellor, insisted on the negative, which was at last carried by 62 votes against 48. This was protested against, and the Protest, speaking of Protestant Dissenters, says—

> "We should not drive them from us in a matter which, of all others, must most sensibly grieve them—viz., the education of their children, which reduces them to a necessity either of binding them in a way they do not approve, or of leaving them without instruction."

This Protest was signed by all the most eminent men in the House of Lords; it included Somerset, Nottingham, Halifax, Carlisle, Devonshire, Somers, Townshend, Oxford, Buckingham, Cowper, Derby, and the Bishops of Lincoln, Ely, St. Asaph, Bangor, and Llandaff. The Ministry came to an end by the death of Queen Anne. The noble Earl opposite, not following in the footsteps of his ancestor, the Earl of Derby of that day, raised a very curious clamour against the proposal made by Lord Melbourne's Government in 1839. He was so successful that we only carried the power of going into Committee by a majority of 5, and when in Committee we only carried our proposal by a majority of 2. That which a Tory Government contended for in the reign of Queen Anne was again contended for in 1839. We met with so strong an opposition that we had to consider how we might come to an agreement with those who represented the Church. Lord Lansdowne and myself met the Archbishop of Canterbury and the Bishop of London at Lansdowne House, and an agreement was come to by which the Church was satisfied and the grants were made. Now, the question arises again, when it is proposed, as it has been of late, that there should be an education of the whole people; because if you carry on that education by rates, or if you carry it on by taxes which are paid by all persons, whether Dissenters or Churchmen, it then becomes necessary that you should provide for the education of the whole of the people, and exclude none on account of their religion. This is a principle which must be recognised, and is maintained most strongly in the draft Report which was drawn up by Sir John Pakington, who has always been a great friend of education, who has never concealed his opinions on the subject, and who has manfully, and in a most straightforward manner, on all occasions defended and proposed the most liberal measures with regard to education. In 1865 and 1866, about the time when the present Government was formed, Sir John Pakington, as Chairman of a Committee on this subject, entered very deeply into the question. A great number of witnesses were examined, and at last he drew up a draft Report which in itself deals with the subject in a very able and exhaustive manner, and in which he laid down what he regarded, and what I certainly regard, as a very just principle on this subject. Shortly before this what was called "the Conscience Clause" was adopted, and it has been introduced into five out of seven, or six out of seven, of the forms of the deeds of grants made by the Committee of Education. This clause allows parents who do not wish their children to be taught any particular doctrine to withdraw their children from the schools at the time religious instruction is given. The principle of that clause is, I think, perfectly fair, and it has been, I believe, adopted both in Scotland and Ireland. It is a principle to which the Church in France does not object, and to which the Church in Prussia does not object; indeed, it commends itself to every one on account of its fairness and its justice. It is only justice that those who belong to the Church shall be entitled to have schools to which Dissenters shall not be admitted; but that if admitted they shall be required to abide by the rules therein observed. In the draft Report of the 5th of February, 1866, to which I have just referred, Sir John Pakington says—

> "In considering a question of such magnitude as the Conscience Clause your Committee are of opinion that it must be boldly treated, and either adopted as essential to the education of the people or abandoned as inconsistent with the duties of the National Church. It should be regarded as a question whether or not we ought to remove a great and unnecessary impediment to education, and your Committee cannot hesitate as to the opinion they ought to express. They recommend that no building grant shall be made without requiring, as an indispensable condition, that a Conscience Clause shall be inserted in the trust deed; and they further recommend that in any case in which complaint shall be made to the Education Office, and found, upon investigation, to be correct, that the children of Dissenters attending a National School have been constrained either to submit to religious teaching to which their parents object, or to attend the church or the church

> Sunday school, the Educational Minister should be empowered, at his discretion, to suspend the annual grant to such school."

Now, that statement is very clear and straightforward; it lays down a principle which appears to me to be just to all parties, and I think it is useless to consider the extent of education or to introduce the subject of education to the consideration of Parliament unless Parliament is prepared to assent to a declaration of that kind, and to enforce it upon all those who are to receive the grant. There is only one other course by which all parties could be reconciled, but that is a course which does not recommend itself to my mind nearly as well as the Conscience Clause. It is that of having secular schools and secular education. I should be sorry if it were found necessary to exclude religious teaching in schools. At the same time, I cannot think that even if you had secular schools you would at all diminish the amount of religion in the country. It would be a great misfortune not to have religion taught in the schools; but if education extended all over the country you would find, I think, that that education included religion, and included morality, although they were not directly or expressly taught in the schools. And I do not say this without authority. A gentleman of great intelligence, Mr. Fraser, has made an examination of the American schools, and reported that he found that there was no system of general inspection. He pointed out, also, that though many of the schools were undoubtedly very good, others were exceedingly inferior, and in an able Report he pointed out in what those evils consisted. To the American schools, however, as a whole, he bears the following testimony:—

> "What we can borrow from America, remembering the difference of our social circumstances and the different principles that animate both our ecclesiastical and civil polity, I can hardly say. The thing, however, which I should like to borrow, and which we might certainly borrow without revolutionizing our institutions, is the noble public spirit, almost universally prevalent, which considers that to contribute to the general education of the people is the first duty, as of the commonwealth at large, so of every citizen in particular, and which places religion, morality, and intelligence in the forefront of the elements that constitute the strength and guarantee the prosperity of a nation."

I think it is an extraordinary and a most striking tribute to the excellence of the American schools that this noble public spirit exists, and in particular that the system "places religion, morality, and intelligence in the forefront of the elements that constitute the strength and guarantee the prosperity of a nation." After this testimony therefore I cannot believe that even if you were obliged to adopt secular schools in this country, owing to the refusal of the Church to adopt the Conscience Clause, or from the dislike of others to such a clause, you would by any means lose the guarantee for the inculcation of religion and morality which you at present possess. If persons belonging to the Church object to the Conscience Clause, it is due to them to say that if their religious convictions compelled them to reject the Conscience Clause the State would not insist upon their adopting it; but then, on the other hand, the State has its own duty to perform, and could not, on account of the unwillingness of the Church, to be fair to all classes of the people, relinquish its great duty, which is to educate the people of this country without reference to their religious opinions. What they may do I know not; but I find among those who gave evidence before the Committee of which Sir John Pakington was Chairman was a gentleman well known in this country, who, as a clergyman, held a very strong opinion and objected to any system of education in which the ordinances of the Church were not adopted. What he said was this—

> "Here are children brought into this school, and they are taught no religion. No catechism is taught them, and no formularies are taught them, and the utmost that is demanded is that at some time or other in the day they read the Bible. Now reading the Bible is not teaching a child religion."

I entirely disagree from that opinion of Archdeacon Denison. I am myself the President of a Society — the British and Foreign School Society—in whose schools the Bible and the Bible alone is taught—they teach Christianity pure and simple, they teach the doctrines which Christ and His Apostles taught, and I own it appears to me that the doctrines of Christianity are much more clearly taught in the Bible in the words of Christ himself than in any formularies of the Church of England or of any other Church. For instance, in the Catechism the words of Christ are paraphrased in a manner at once incomplete and inaccurate; and I therefore think it far better that the Bible should be read than that these formularies should be exclusively used. That, however, is a matter entirely for the Church itself to consider.

If the Church thinks that its formularies are necessary, I would not interfere with that opinion; but I will say that the public money should not be given to those who, as they will not educate the whole of the people, are not entitled to the public grants or to the rates, because as public grants as well as rates are procured from taxes levied upon the whole population, Dissenters as well as Churchmen, there is no justice whatever in giving instruction partially by not admitting the Conscience Clause. Therefore, with regard to all those bodies which now receive the grants—the Church of England, the Roman Catholic Church, the Wesleyans, and the British and Foreign School Society, which is not denominational —I should say the Conscience Clause ought to be adopted, and I go the whole length of the assertion made by Sir John Pakington upon this subject. His proposal, I am sorry to say, was not adopted, and Sir Stafford Northcote proposed a short Report as they could not come to any decision upon the question, and the draft Report of Sir John Pakington was thrown aside. I have always been of the same opinion with Sir John Pakington. I used to be opposed by Mr. Hadfield and those who declared that the State ought not to contribute anything for the support of schools; but I am happy to say that the great body to which he belongs, the Congregational Dissenters, although they agree with him in insisting upon the voluntary principle, have of late yielded upon this subject, and have come to the conviction that they ought to accept the grants. This, therefore, is another inducement to adopt this plan at the present time. I have therefore come to this conclusion with regard to the first Resolution that there ought to be a larger extension and a great improvement in school education; that the numbers who are now excluded ought to be included in our system of education; that every child has a right to the blessings of education, and that it is the duty of the State to regard and maintain that right; that the diffusion of knowledge ought not to be hindered by religious differences, nor should the early employment of the young in labour be allowed to deprive them of education. With regard to these last words of the Resolution I have maintained that the course which has been adopted for more than the last thirty years in factory labour and education might be advantageously extended, not only to all manufacturing classes, but to the agricultural class, so that there might be schools established within convenient distances in which the children might be kept in school only three hours, having the rest of the day at their disposal for their labour.

These being the principles which must be adopted by Parliament if they are to extend our system of education, the next Resolution which I propose is this—

> "That it is the Opinion of this House that Parliament and Government should aid in the Education of the Middle Classes by providing for the better Administration of Charitable Endowments."

With reference to this Resolution I have to say that the noble Lord near me (Earl Stanhope) is at the head of a Commission which has been making inquiries into this subject, and which I understand will soon present its Report. I trust that that Report will be laid before Parliament in February next, and that we shall be able to adopt the view, or a modification of the view, which the Commission may entertain upon the subject of this Resolution. Under these circumstances, I shall not enter into any particulars upon this part of the question until after the presentation of that Report.

I next propose a third Resolution—

> "That it is the Opinion of this House that the Universities of Oxford and Cambridge may be made more useful to the Nation by the Removal of Restrictions, and by the better Distribution of their large Revenues for Purposes of Instruction in connection with the said Universities."

I have left out of my Resolution the words "by the appointment of a Commission," because the House of Commons has already gone very far into the question as to how the revenues of the Universities should be dealt with, and therefore I think they will be able to legislate upon it without a fresh Commission being appointed to make further inquiries with reference to it. I do not suppose that any person now objects to the removal of restrictions which debar all persons who do not believe in the efficacy of the formularies of the Established Church from taking their degrees, and from participating in the benefits which those degrees confer, and I also hope that there will be no very serious objections on the part of the various Colleges to grant their Fellowships to persons who may not belong to the Church of England. One or two matters of principle are involved in this subject. In the first place, there is the question whether these Universities are National institutions, or whether they belong solely to the Church. Following the principle which I have already stated—that education in science, art, and languages is not a matter of ecclesiastical jurisdiction nor of religious instruction, I think the whole nation should have the benefit of these Universities. The only way to enable all to share in the benefits is to give every one unrestricted admission to the Universities; and secondly, by not limiting the rewards of learning solely to those who have made classics and mathematics their study, but to extend them to those who are proficient in the physical sciences — which since these Universities were founded have made such astonishing progress—and in the history, literature, and laws of this country. It would be somewhat disgraceful if a knowledge of the laws of the country, which Sir William Blackstone taught with such eminent ability in the University of Oxford, did not form a necessary part of education; and therefore I think that those who make them their study, should be entitled to all the benefit which taking a degree can confer. Another proposition to which I wish to draw attention is that University education ought to be made cheaper. The expenses of a University education are so considerable that a great proportion of the people of moderate means are not able to take advantage of it in this country as they are in Scotland.

The last proposal I have to make to your Lordships is—

> "That the Appointment of a Minister of Education by the Crown, with a seat in the Cabinet, would, in the Opinion of this House, be conducive to the Public Benefit."

If Parliament were to adopt a great scheme of the nature I have proposed — if they were to make education commensurate with the wants and greatness of the nation —I think it will be admitted that there should be in this, as in other countries, a Minister of Education, who would be capable of taking into consideration all affairs relating to education, and whose whole attention should be devoted to the furtherance and improvement of our educational system.

Having said this much upon this most important question I will not longer occupy your Lordships' time further than most earnestly and emphatically to express my conviction that not only the future promotion of education in England, not only some advantages which thereby this country may acquire, but, in fact, the whole future of this country depends upon our adopting a large and wide and unsectarian system of education, which will reach to the highest and go down to the lowest. Your Lordships last Session consented to a great measure which extended very much further than had heretofore been done—the right of voting for Members of Parliament. Your Lordships well know that in the changes that have taken place such power has been given to the House of Commons that neither your Lordships nor any other power in the country can successfully resist a decision upon any great question which may be arrived at by a large majority of that House, should that division be supported by the opinion of the people. Now, I hope your Lordships will consider that it is a matter of no slight importance whether the Bill which you passed last year turns out in its effects to the benefit of the people or to their disadvantage and loss. If the House of Commons has that great power which I have stated — and which nobody denies — what a misfortune would it be if those who had the power of electing them should be so ignorant, so easily tempted by bribes and treating, as to degrade the great power you have given them, misuse the franchise you have bestowed on them, and send to the House of Commons a set of persons unequal to the care of this great Empire, unequal to the preservation of this great country! I am persuaded that you run no small danger of that kind if there should appear to be great numbers of persons who are so ignorant and so poor that they may be easily misled and deluded; but I am convinced, on the other hand, that if the people of this country — if the householders of this country—are well and properly educated, you may rely upon them for sending a House of Commons not only equal, but superior in wisdom to any that has hitherto sat within its walls. My persuasion is that great as your Empire is, great as your power has been, vast as your fame has been all over the world for having established a model of liberty and a constitution of unequalled wisdom, your fame will rise still higher, and your prosperity will be still greater, if those who have to elect the House of Commons are fit for that duty, and if they perform that duty without fear or favour, without listening to the attempt of any party to corrupt their votes, and really send a House of Commons worthy of the country to which they belong, worthy of the constituency they represent, and worthy of the Parliament to which they have been elected. Such being my convictions, I heartily commend to your Lordships these Resolutions.

Moved to resolve,

1. That in the Opinion of this House the Education of the Working Classes in England and Wales ought to be extended and improved: Every Child has a moral Right to the Blessings of Education, and it is the Duty of the State to guard and maintain that Right. In the Opinion of this House the Diffusion of Knowledge ought not to be hindered by Religious Differences; nor should the early Employment of the Young in Labour be allowed to deprive them of Education:

2. That it is the Opinion of this House that Parliament and Government should aid in the Education of the Middle Classes by providing for the better Administration of Charitable Endowments:

3. That it is the Opinion of this House that the Universities of Oxford and Cambridge may be made more useful to the Nation by the Removal of Restrictions, and by the better Distribution of their large Revenues for Purposes of Instruction in connection with the said Universities:

4. That the Appointment of a Minister of Education by the Crown, with a Seat in the Cabinet, would, in the Opinion of this House, be conducive to the Public Benefit.—(*The Earl Russell.*)

The Duke of MARLBOROUGH: My Lords, I assure your Lordships that it is with no small sense of responsibility, and with no slight degree of diffidence, that I rise to reply to the remarks which have fallen from the noble Earl on a subject with which he is so intimately acquainted, to which he has given such earnest, and, I have no doubt, such conscientious attention, and on which he has had such vast experience. The difficulty might have been diminished, had the noble Earl proposed either in his Motion or in his remarks anything definite for your Lordships' consideration; but, on the contrary, in listening to the noble Earl's remarks, I have failed to discover anything of a character sufficiently definite to lead your Lordships to any conclusive opinion, or to arrive at any practical result on the question. So far as I understand the remarks of the noble Earl, he has entered into a very able and elaborate discussion of the various topics of education; but, at the same time, that discussion has been of so general a character, and he has himself admitted that many of the questions are still connected with so much doubt and uncertainty, require such great consideration, and are open to such variety of opinion, that it is almost impossible to come to any definite opinion in regard to them. The difficulty of meeting the noble Earl's propositions is increased when I consider the mode in which they are brought forward; and I am not clear whether he intends these Resolutions to be a challenge to the Government to state what they are going to do on the subject, or as a trumpet-note sounded by the noble Earl to his own adherents to show what he is prepared to do if again called to power. In the first instance, if intended as a challenge to the Government for a statement as to what they are prepared to do on the subject, I think your Lordships will agree with me that the time is singularly ill-chosen for putting forward these Resolutions. Your Lordships are aware that this is an exceptional Session of Parliament. Under ordinary circumstances the Government would now be engaged in considering the measures they might propound to Parliament at an early period of the coming year, and it is somewhat unusual at such a period, assembled, as we are, almost accidentally, to challenge the Government to state what they are prepared to do on one of the most momentous and most difficult questions that could engage the attention of the Government. But if the noble Earl intends to put forward the Resolutions as an indication of what his own policy would be—as picturing forth what, were he again placed in the position of the head of the Government, he would be inclined to propose and carry out—then I must say I think it a great pity that a question of this nature should be reduced to the level of a mere party watchword, and that these propositions should be used by the noble Earl as a standard for rallying round him his political adherents. Although I have some difficulty in replying at this period, and under present circumstances, to the remarks of the noble Earl, there are certain points on which a good deal may be said, and now I would ask your Lordships to bear with me, while I point out some of the fallacies into which the noble Earl has fallen. One of the first cases put forward by the noble Earl is the presumed deficiency in the existing means of education, and the large numbers of our population who are not sufficiently brought within the means of instruction. The noble Earl put forward a statement which I believe he derived from the Report of the Chairman of the Committee presided over by my right hon. Friend Sir John Pakington—not the Report of the Committee, but a draft Report prepared by the Chairman but not adopted by the Committee—as to the number of unaided parishes amounting to 11,024. But a very serious error has been committed. I do not say it is a positive error, but a mis-statement equally calculated to lead to erroneous conclusions. It arises from the manner in which these Returns were drawn up. The fact is this—the parishes stated in the public Return as "unaided" are the Poor Law parishes—parishes recognised by the Poor Law for Poor Law purposes. But the number of ecclesiastical or school parishes is very considerably less, and the results of that difference are very striking. The total number of Poor Law parishes returned under the 4 & 5 *Will.* IV. c. 76, is 14,877; the entire number of ecclesiastical or school parishes 13,763. But when we come to the proportion of the aided parishes, comparing the Poor Law parishes with the ecclesiastical or school parishes, we find the school parishes considerably in excess of the Poor Law parishes, while the school parishes unaided have very considerably diminished. The figures stand thus:—Whereas 3,853 Poor Law parishes are being aided, the real fact is that 4,897 ecclesiastical or school parishes are receiving grants; and while in the public Return the unaided parishes are stated at 11,024, the real number of school parishes unaided is 8,866. And when we come to parishes with less than 500 population, where the greatest amount of destitution is felt, we find that whereas the Poor Law parishes unaided, having a population under 500, amount to 7,996, the school parishes unaided, with population under 500, amount to 5,392. That was the state of things in 1863-4. But in 1866, to which the Report of the Committee of Council laid on the table reaches, I find that the total number of Poor Law parishes unaided has been reduced from 11,024 to 10,404; and giving the same proportion of difference between the Poor Law parishes and school parishes, the entire number of unaided parishes is 8,368. Then, when we come to the ecclesiastical parishes with a population under 500, they amount in 1867 to 8,219, of which there are aided 924, and unaided 7,295. The population of the unaided parishes is 1,772,276, and the children of school-age, 563,849. But it would be an erroneous conclusion to suppose that all these parishes which are unaided have no schools at all, for the unaided parishes are in many instances very well supplied with schools. I will give an instance from the Report of one Inspector, Mr. Bellairs. He is the Inspector for Buckinghamshire, Berkshire, and Oxfordshire. That gentleman states that out of a total of 429 parishes in his district, all of which have schools, 141 are aided schools and 288 are unaided; but that they all contain Church of England schools supported by voluntary contributions. [Earl RUSSELL: I took Mr. Bruce's statement of the number of unaided schools.] But the noble Earl, in stating that there were no aided schools in certain parishes, may have led your Lordships to suppose that there was no education for the children in those parishes at all; and the point I wish to impress on your Lordships is that, although there are no aided schools in particular parishes, it would be wrong to conclude that nothing is done in them for the cause of education. There are in the district I have just adverted to, besides 141 which received grants, 288 unaided parishes; but every one of those parishes contains a Church school, supported by voluntary contributions from the resident proprietor or the parishioners generally. With respect to this point I will read to your Lordships the statement of another School Inspector, Mr. Capel, the Inspector for Warwickshire—

> "By a comparison of two independent returns—one forming part of the population tables compiled after the Census of 1861, and another, furnished in the same year to the editors of the *Worcester Diocesan Calendar*—I am convinced that in the Warwickshire villages very few children are growing up without any schooling, and that, on any ordinary day, scarcely any between five and fifteen years of age would be found to be neither at work nor on the books of some school."

I think it only fair, when your Lordships hear various statements about the great want of education in the country, to state that we must not form our conclusions merely from returns of parishes aided by the Parliamentary grant, for there are a great number of schools not receiving State aid which are regularly and silently carrying on the work of education and diffusing those blessings of education which the noble Earl—and no doubt your Lordships—desire to see spread among the population. The noble Earl has said that he wishes to see the means of education increased. I think the noble Earl must admit that these means are being increased and extended. Having pointed out the fallacy in the noble Earl's statement, I will now endeavour to let your Lordships understand what is really being done in regard to the progress of education generally; and though it must be admitted that there are spots where the means of education are still deficient, yet it would be an unfair conclusion to suppose that the country is in such a defective state with respect to education as the noble Earl attempted to describe, and that under the operation of the measure of last Session extending the franchise there would be the greatest possible danger unless the great mass of the people should be educated. I do not mean to say that there may not be room for improvement; but still, I repeat a great deal is being done, and from what is being effected we may fairly hope that, before many years are over, the state of education in this country will bear an advantageous comparison with its condition in any other country of Europe. By a Return presented to your Lordships not long ago, it appears that in 1859 there were 5,531 institutions receiving aid from the Government, with an average attendance of 674,602 scholars, and there were 757,082 present at inspection. In 1866, the number of institutions had risen to 7,081; the number of children in average attendance was 871,309; and the number present at inspection was 1,086,812. With such a progress in the course of seven years, I see no need for entertaining the discouraging ideas which seem to possess the noble Earl. I will now show your Lordships how far the spread of education is overtaking the increase of population — and that is the real point to consider; for if it does not overtake the increase of population, then we are going back; and if it does, then we may hope to arrive at a time when, with improved means, we shall be able to say that there is no child in the country without education. The following is a statement made to me in reference to the increase of supply for educational wants as compared with the increase of population:—

> "It cannot be denied that great progress has been made since 1861, the date when the Royal Commissioners reported on the subject. The annually aided schools in England and Wales in the year ending 31st of August, 1860-1, were 5,141; the average number of children attending them, 712,193. In the year ending 31st of August, 1865-6, the schools had risen to 6,694, the scholars to 903,561. In other words, within five years the annually aided schools had increased 30·2 per cent, or at the rate of 6·04 per cent per annum, and the scholars 26·8 per cent, or at the rate of 5·36 per cent per annum. The population of England and Wales increased in the last decennial period from 17,927,609 to 20,066,224, or at the rate of 1·19 per cent per annum. It is evident, therefore, that the annually aided schools and scholars have been increasing five times as fast as the population."

Therefore, with these facts before us, I do not feel all that discouragement in reference to education in this country which the noble Earl appears to entertain. We must also remember that we have a system at work which the noble Earl himself was instrumental not only in bringing into operation, but also in fostering, and the noble Earl cannot be ignorant of the great improvement in the Department of the Educational Committee of the Privy Council. In 1856, the noble Earl moved some Resolutions connected with Education, and the first of them was to the effect that the Minutes of the Educational Committee of the Privy Council should be brought into a more intelligible and codified form. That has been done, and a Revised Code was prepared, and is now generally acted on. A great improvement has taken place in the mode in which the Parliamentary Grant is distributed, and in the quality of the education given. I will ask your Lordships to allow me to read a statement of one of the School Inspectors with respect to the effects of the Revised Code. Mr. Parez states in his general Report for 1866—

> "The principles of the Revised Code, its advantages and its drawbacks, have been so often discussed and re-discussed, that I think it will be sufficient for me to record very briefly the results of my observation of its working. That the searching individual examination which it prescribes compels teachers to make the education of their schools, as far as it goes, more sound and thorough, and to bestow especial pains upon their less-gifted scholars is allowed on all hands; its power to exhibit the worthless character of showy and superficial teaching is unquestionable, and the good it has effected by this power very substantial."

It is not a matter of little importance that the quality of the education should be satisfactory to the public generally in return for the large amount of money expended in the shape of the Parliamentary Grant; and your Lordships must not forget that part of the scheme of the Educational Committee of the Privy Council is to provide, not only the best kind of education for all those brought within their reach, but also a class of trained teachers, who should communicate the instruction hereafter to be afforded in the schools in the best possible manner and under the best possible regulations; and as the noble Earl alluded to pupil-teachers, it is a remarkable fact, strongly attested by Inspectors and others well acquainted with the subject, that the deficiency in the number of pupil-teachers, though it may be in some degree attributable to no payment being made to them, yet is also due to the superior education they have received in the schools; for as soon as they have acquired a good education they take to other employments and decline to follow the profession of schoolmasters. Then, as to the impediments which may exist in carrying out the present provisions of the Privy Council with regard to promoting the spread of education throughout the country, it cannot be denied that the objections which have been taken to them in some quarters are not without a certain amount of foundation. It has been urged that assistance is provided where assistance is already forthcoming, and that we do not initiate education in a district, but leave that to be done by the voluntary efforts of individuals. But, although there may be some disadvantages connected with such a system as this, the benefits derived from it are so great that I, for one, should be unwilling to do anything which would in any way tend to discourage or diminish those voluntary efforts by means of which so vast a sum is now collected and so much accomplished towards giving a sound religious education to the children throughout the country. Upon that subject I ought, I think, to remind the noble Earl of the remarks which he himself made in 1853, when stating in the House of Commons the views of the Government with respect to improving the system of the Privy Council. The noble Earl then commented on the amount of voluntary subscriptions sent in by individuals, and the amount which was obtained in the shape of school pence from persons who paid for the education of their children. He said—

> "Now, there is one of those sources of income to which I would wish to call the attention of the House—it is the item of £413,044 derived from the school pence. I have no doubt that that is an under-estimate; and I think if we were to say that £500,000, or half-a-million, had been contributed from school pence, we should not have an excess in estimating that sum. Now, I think the House will feel that, considering that half a century ago there were none other than Sunday schools which could be called public schools for the poor, the result of these efforts is striking, and likewise satisfactory. That the people of this country—above all, that the working and poorer classes of this country—should contribute £500,000 a year towards the expense of instructing their children, I think the House must consider a most gratifying circumstance. I confess it induces me to think that the steps which we ought to take should be such as would rather strengthen and improve the system of education which has grown up chiefly by voluntary efforts than attempt to set up anything in its place which, while it disturbs the existing system, might fail in supplying its place by anything like an equal sum for the support of the instruction of the poor."—[3 *Hansard*, cxxv. 528.]

Now, I fully endorse that sentiment, and I trust never to do anything which would impede the voluntary action of individuals to promote education in this country and to render it more effective by every means in their power. In regard to some of the wants to which the noble Earl has called attention, I do not deny that in some places, especially in boroughs, great wants and deficiencies exist. The numbers may not be so great as the noble Earl seems to suppose; but it is at the same time, I fear, true that there is in many large boroughs a class of children whose parents do not, either from poverty or indifference, send them to school. The noble Earl himself at one time thought that it would be impossible to raise rates from persons in the rural districts, but that they might be raised in boroughs. I am not prepared to say what steps the Government may take with regard to this portion of the subject; but, as the result of my own observation, I may state that there is a class of children in boroughs which requires special attention, and I am ready to admit that in any measures which may be adopted by Parliament in reference to education that is one of the first points to which their notice should be directed. The noble Earl, I may add, went on to make some very lengthened observations in reference to the Conscience Clause. I was very much surprised at the tone of his remarks on that subject, because it would seem from his argument as if there were no such clause in existence. Now, the Conscience Clause is one of those modifications of the Privy Council system which has obtained the sanction of the great body of the public, and against its present application no very general or valid complaint is, I believe, made. It cannot be denied that when the clause was first introduced, and applied to the Church of England schools, the clergy felt themselves considerably aggrieved by its operation. The objections to it have, however, I think, very much subsided. The Reports of the Inspectors, indeed, seem to lead to that conclusion. Mr. Hadley, a very valuable member of that body, who lately died, says in his Report—

> "As a result of my experience, I may, I think, fairly state that the supposed difficulty of recon-

> ciling the consciences of the clergy to the now famous clause introduced into the deeds of management of certain schools has not been felt by the majority of the clergy in my district. Most of the schools—indeed, nearly all in the large towns—are worked according to the principle of the clause, and I have never heard of any real difficulty in the working of it. Neither have I heard of any clergy in my district being debarred from applying for a building grant from fear of having it imposed upon them."

I find, too, that the sums voted by the Committee of Council for building purposes being in 1865 £18,882, and in 1866 £24,222, the sum granted in 1865 for building purposes for Church of England schools was only £15,458, while it amounted in 1866 to £20,445. It must be borne in mind that the principle on which the Conscience Clause is based is acted upon in almost every school. There are very few schools which are not conducted exactly on that principle. The instances in boroughs are now, I believe, very rare in which a clergyman thinks it to be his duty to compel a child to receive any religious instruction to which its parents object, and Mr. Hadley stated that most of the schools in his district are worked upon that principle. What the clergy have an objection to, however, I understand is what they are disposed to look upon as the onesidedness of the clause as it works. If the Conscience Clause is to be just in its application it must operate equally in giving security, not only to the parents of the children but to the managers of schools. While it allows the parent every possible latitude in withdrawing his child from the influence of any religious teaching to which he may object, it ought also to provide that the schools should not be obliged to lose their distinctive character, and that denominational teaching in them should not be interfered with. As far as I can learn, one of the strongest objections of the clergy to the Conscience Clause is that it is thought to tend to destroy the denominational character of the school, and that a parent might under its operation interfere so far as practically to do away with religious teaching altogether. The clause therefore, in my opinion, if it is to be rendered generally applicable, must bear equally in the two directions which I have indicated—it must give protection and liberty to the child, and secure the denominational character of the school. The noble Earl, in his first Resolution, says—

> "The Diffusion of Knowledge ought not to be hindered by Religious differences; nor should the early Employment of the Young in Labour be allowed to deprive them of Education."

The noble Earl has, I think, fallen into considerable error in the statement which he has made on this subject, because he has spoken as if Parliament had not already done a great deal in requiring a certain amount of education to be given antecedent to the employment of children in labour. He says that it would be a very great advantage if Parliament would extend the action of the Factory Acts to other trades. That, I would remind him, has been already done. An Act was passed last Session, of the passing of which he does not seem to be aware, extending the operation of the Factory Acts to all workshops. Under that Act no child, after the year 1870, under eight years of age, can be employed at all, and no child between eight and thirteen, unless he can produce a certificate from the master of a certificated school that he has attended that school for ten hours in the week; every sort of manual labour, except agricultural labour, being thus included within the scope of the law. As to the employment of children in agricultural labour, the noble Earl ought to be aware that that subject is under the consideration of a Royal Commission at the present moment, the terms of whose Commission are these—

> "We do hereby enjoin you, or either of you, to inquire into and report on the employment of children, young persons, and women in agriculture, for the purpose of ascertaining to what extent and with what modifications the principles of the Factory Acts can be adopted for the regulation of such employment, end especially with a view to the better education of such children."

Under those circumstances it would, I think, be highly inexpedient that your Lordships should come to any conclusion on this subject of the employment of children in agricultural labour until you have the Report of the Commission before you. I now pass to the other Resolutions of the noble Earl. On the second he does not lay much stress. Then the noble Earl drew attention to the subject of certificated teachers, and, indeed, I interrupted him with the object of eliciting his views upon that subject. With regard to certificated teachers I quite agree with the opinion frequently expressed by the noble Earl, and still, I believe, entertained by him, as to the great advantage of that system. It is, I think, the basis on which Parliamentary grants ought to be made. I perfectly agree, too, with the noble Earl that it is necessary to give not only a certain kind of education, but the best kind—of such a quality as will repay the expense and outlay incurred by the State in giving it. But it is, no doubt, equally true that the Revised Code has introduced to a certain extent a new principle in regard to the mode of payment, and that payment is now made according to results; and though I do not think the State ought to depart from the principle on which grants have hitherto been given — that is, principally and essentially, for the promotion of education imparted by certificated teachers —I am, nevertheless, of opinion that it may be a question worthy of the consideration of the Government whether, without impugning the principle of certificated teachers, some modified assistance might not be given to schools which come up in all other respects to the requirements of the Privy Council — not with a view of enabling them to substitute a system of teaching different from that which has received the sanction of Parliament, and been recommended by practice and experience, but in order to aid them in struggling through their preliminary difficulties, and in bringing them up ultimately to such a state that they can employ a certificated teacher. I desire it to be understood, however, that I state this as my own individual opinion, without pledging the Government to any particular course. It has been said, with a great deal of justice and truth, that if some latitude were given in this direction it would lead to the employment of more certificated teachers than are employed at present, because the very fact of a certain amount of grant being given to a school which had not a certificated teacher, and which was consequently open to inspection, would render so apparent the deficiencies arising from the want of a certificated teacher, that the managers would be induced by the failures in the examinations to employ such a teacher in order to raise the standard of the education. This subject has not been lost sight of by Her Majesty's Government I can assure the noble Earl, and though I am not prepared to state their views upon it, I am bound to admit that it is a subject in regard to which a fair and impartial inquiry may be instituted. With respect to the third Resolution of the noble Earl—namely—

> "That it is the opinion of this House that the Universities of Oxford and Cambridge may be made more useful to the nation by the removal of restrictions,"

I have only to remark that, as the noble Earl has himself stated, a Committee of the House of Commons is considering this question. But the noble Earl, in the first instance, told your Lordships that a Royal Commission ought to be appointed to consider it. Now, as a Royal Commission was appointed about thirteen years ago to investigate the condition of the Universities, nothing could be more indiscreet at the present time than to appoint another Commission to revise the work then done, and to declare the reforms effected by the previous Commission inadequate to the wants of the times, and inefficient for the proper education of the country. I, for one, will never agree to such a proposal. I believe that the changes which have been made in the University staff, and which are from time to time being introduced in consequence of the Report of the Commissioners appointed about thirteen years ago, have been productive of great benefit. In my opinion it will be far better to leave Oxford and Cambridge to their own action, and to wait until changes are effected in consequence of public opinion and the enlarged views of the persons connected with those Universities, than to endeavour to bring about changes by means of legislative enactments. Indeed, nothing can be more prejudicial to the Universities than constantly pressing changes upon them. With regard to the third Resolution of the noble Earl, respecting the appointment of a Minister of Education by the Crown, I confess that is a subject far too wide for me to express any opinion upon. I suppose, however, that the noble Earl, by placing this Resolution at the end of the others, intended it to be a logical sequence that a Minister of the Crown should undertake all the various duties which the previous Resolutions shadow forth. That may or may not be a politic and wise proposition; but, my Lords, I, for one, am certainly not prepared to advocate it. I cannot but think, for instance, that with regard to the Universities it would be a change in the wrong direction if they were to be ruled in any other manner than that now sanctioned by their statutes. There are very great advantages in the arrangement under which any change in the statutes of the Universities comes under the notice of the Committee of the Privy Council; and I do not see how, even if a Minister of Education were appointed to control matters of this kind by his sole Ministerial authority, many of the advantages accruing under the present system could be maintained. No doubt this question is one of great importance, and one which every Government ought to take into consideration; but in replying to the noble Earl on the present occasion, I must say that I myself have very great objections to the appointment of a Minister of Education. There is another reason which occurs to me against the proposal of the noble Earl. In the year 1856 the industrial and reformatory schools under the control of the Home Office, and the schools under the Poor Law Board and the War Office, were all placed under the direction and supervision of the Committee of Council on Education; but in practice it was found impossible to carry out the arrangement, and the result showed that schools relating to particular departments were best administered under the supervision of those departments. I do not think it is necessary for me to detain your Lordships longer. I can only assure your Lordships that the question of education, important as it is, and connected as it is, and must continue to be with the highest interests of the country, is one which Her Majesty's Government have not lost sight of. Indeed, the noble Earl opposite might have learnt that from a sentence which occurred in Her Majesty's Speech at the opening of the Session. Her Majesty's Government have the question of public elementary education under their consideration, and as long as I am connected with the office which I now have the honour to hold, I shall feel it my duty to bestow on this subject my best and most earnest attention. I cannot say how deeply I feel it to be a question on which the most vital interests of the nation depend; but in addressing myself to its consideration, I shall never deem it my duty to do anything which would disturb the denominational system, which I believe to be the keystone of the education of this country, which I believe to be intimately associated with the religious feelings, with the habits, and with the sympathies of the people, and conducive to their best interests in promoting a sound and healthy education, and in making this country—as I hope it ever will make it—great and glorious and happy. I trust your Lordships will not pass these Resolutions; but as I do not altogether dissent from many of the propositions contained in them, I will ask your Lordships to agree to the Previous Question.

Then a Question being stated, the previous Question was proposed, "Whether the said Question shall be now put?"

Earl RUSSELL, in reply, said, that in introducing the Resolutions, he was actuated solely by a sense of public duty, and the sole object he sought by them was to obtain a declaration of opinion that the time had arrived when the education of the country ought to be extended so as to embrace every child in it, and that religious questions ought not to stand in the way of such extension. His statements as to assisted and unassisted schools were founded upon those of Mr. Bruce. He could not say that the speech of the noble Duke (the Duke of Marlborough) afforded much reason to hope that the Government would act on the propositions he had submitted; but he hoped that if any measure were introduced by the Government in the House of Commons, it would be sent up to this House in time to allow their Lordships ample opportunity to discuss it. He would not divide the House on his Motion.

Question put.

Resolved in the *Negative.*

House adjourned at a quarter past Seven o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, December 2, 1867.

MINUTES.]—New Member Sworn—Thomas Tertius Paget, esquire, *for* Leicester County (Southern Division).

Public Bills—*Ordered*—Totnes, &c. Writs.

First Reading—Totnes, &c. Writs [20].

Committee—Income Tax [16]; Consolidated Fund (£2,000,000).*

Report—Income Tax [16]; Consolidated Fund (£2,000,000).*

CHURCH RATES.—QUESTION.

Mr. HADFIELD said, that as it seemed to be understood that the right hon. Gentleman the Leader of the House was not likely to be in his place again before Christmas, he begged to ask the Secretary of State for Foreign Affairs, who was perfectly competent to answer the Question, Whether, as there were two Bills before the House on the subject of Church Rates, and two others were promised, the Government intended themselves to introduce a measure for settling this most vexatious question?

LORD STANLEY said, that the hon. Member had not given notice of his intention to put the Question. Till a very short time ago he had fully expected that his right hon. Friend the Chancellor of the Exchequer would have been in his place that evening. In the absence of his right hon. Friend, he (Lord Stanley) was not prepared to answer Questions with regard to the business of the House.

THE WRECK REGISTERS.

QUESTION.

MR. NORWOOD asked the Vice President of the Board of Trade, Whether he will state the reasons why the British and Foreign Wreck Registers for 1866 have not yet been printed and delivered to the Members of this House; and, whether the version of the British Wreck Register that has appeared in the newspapers has been communicated to the press by the authority of the Board of Trade; and, if not, whether he will state by whom it was communicated, or by what means it got into the papers?

MR. STEPHEN CAVE: The *Wreck Registers* have usually been delivered to Members much earlier in the year. This year much additional work has been thrown upon the Marine Department of the Board of Trade, to which the task of compiling the *Register* is committed, in connection with the preparation and passing through Parliament of the Merchant Shipping Acts Amendment Bill, as well as in framing regulations for carrying its provisions into effect after it had become law. There has been an unhealthy time in the office, temporarily depriving it of some valuable services; and lastly, the *Foreign Wreck Register*, which was first added to the *British Wreck Register* last year, has been made more complete at the expense of much additional labour. These are the causes of the *Register* being issued later than usual. It is in the printer's hands, and will, I hope, be delivered to Members this week. But in truth the postponement even to the autumn of the publication of the *Wreck Register* of the year before very much impairs its value, and it is very desirable that it should appear by March at the latest. Mr. Gray, the Assistant Secretary of the Marine Department, who, as the hon. Member knows almost as well as

myself, is not a man to raise difficulties or to shrink from work, informs me that this cannot be done without additional hands, and it is absolutely impossible, owing to the way in which the Board of Trade is cramped for room, much to the detriment of the public service and of the health of the clerks, to obtain the required assistance. No version of the *Wreck Register* has been communicated to the press by authority of the Board of Trade. It would, in my opinion, be irregular and hardly respectful to send for publication Returns ordered by the House before they are ready for delivery to Members. The early publication of the substance of many of these Returns in the papers is a great public convenience, but the communication of imperfect information is obviously calculated to mislead. I believe that in this instance blame has been cast upon the Office by a portion of the press for carelessness in issuing incomplete Returns, when, in point of fact, one of the causes of delay has been anxiety to make the *Register* as complete as possible. The Secretary of the Lifeboat Institution has been in the habit of obtaining assistance from the Board of Trade in the preparation of a portion of his Report. This is derived from a crude and imperfect version of what appears in a complete form in the *Register*. This communication, the strict propriety of which may, perhaps, be questioned, and which costs no little time and labour, is made to him for one purpose only. The use of it for any other would be a breach of confidence. But, of course, when the report of the Institution comes out, as it has done this year, before the issue of the *Wreck Register*, that information becomes public property, and a fresh complication arises owing to the *Register* being referred to in the Report, as if it had been already published. Arrangements have been made in the Office to prevent for the future the premature and unauthorized publication of Returns ordered by the House. In this particular instance, provided we can obtain space equal to our rapidly expanding work, I hope that an earlier issue of our own *Register* will be the solution of the difficulty.

POST OFFICE—THE ISLAND OF ST. THOMAS.—QUESTION.

MR. GILPIN asked the Secretary to the Treasury, Whether, considering the effects of the recent destructive storm in the Island of St. Thomas, in which the wharf of the Royal Steam Company is stated to have been destroyed, and the deplorable loss of life both from this cause and the pernicious effects of the climate of the Island, it is the intention of the Post Office authorities to continue to sanction the Island of St. Thomas as the chief Postal Station of the West India Mails?

MR. HUNT said, that private communications between the Government and the Royal Mail Steamship Company on this question were in progress, and he could not give any further answer at present.

HOUSE OF COMMONS' ARRANGEMENTS COMMITTEE.—QUESTION.

MR. BAZLEY asked the right hon. Member for Newcastle-on-Tyne, Whether it is his intention to move for the re-appointment of "The House of Commons' Arrangements Committee" during the present Session; and whether, since the termination of the labours of that Committee in the last Session, he has obtained any information which he could communicate to the House?

MR. HEADLAM said, of course he had no intention to move the re-appointment of the Committee for the short period that Parliament would sit now; but immediately after the Christmas recess he would certainly do so; and he would also take an opportunity of calling the attention of the House to the evidence given last Session. He supposed the last part of the hon. Gentleman's Question alluded to a wish expressed by himself and others that information should be obtained as to the size of other Houses of Legislature on the Continent. He had not himself been able to make inquiries; but he had communicated with the Board of Works, suggesting that the desired information should be obtained through diplomatic agency, and that it should be available on the re-assembling of Parliament after the holydays. He understood that that suggestion had been entertained and acted upon.

LORD JOHN MANNERS was understood to intimate that this was correct.

SUEZ AND INDIA SUBMARINE TELEGRAPH.—QUESTION.

MR. O'BEIRNE asked the Secretary of State for India, Whether he will place upon the table of the House a Copy of the Memorial lately presented by Bankers and Merchants of the City of London, recommending the laying of a Submarine Telegraph between Suez and India by the Red Sea, with a Copy of the proposal made by the Submarine Telegraph Construction and Maintenance Company upon the same subject?

SIR STAFFORD NORTHCOTE said, there would be no objection to produce the paper if the hon. Member would move for it.

MARRIAGE LAW COMMISSION.

QUESTION.

MR. ALDERMAN SALOMONS asked the Secretary of State for the Home Department, Whether the Marriage Law Commissioners have agreed on their Report; and, if so, when it will be laid before Parliament?

MR. GATHORNE HARDY said, he had received a letter from the Secretary of the Marriage Law Commission informing him that it was probable that their Report would be in the hands of Members in the commencement of next year.

METROPOLIS—HACKNEY CARRIAGES LAMPS REGULATION.—QUESTION.

MR. DARBY GRIFFITH wished to put a Question to the Secretary of State for the Home Department on a domestic subject. He wished to know whether his attention had been called to a placard which had been placed on Hansom as well as ugly cabs, threatening a strike at four o'clock to-morrow. He begged to ask the right hon. Gentleman, Whether he had any power of revoking the licence or otherwise to prevent such an occurrence?

MR. GATHORNE HARDY said, he had no information as to any threatened strike of cabmen more than the hon. Member himself. He was not aware of any new power which had been granted to the Home Secretary or any Member of the Government to control them.

ARMY—CONVEYANCE OF TROOPS—THE 40TH REGIMENT.—QUESTION.

SIR ROBERT COLLIER asked the Secretary of State for War, Whether a statement which appeared in the *Western Morning News* is correct, to the effect that on the removal of the 40th Regiment from Plymouth to Aldershot the troops were kept on board Her Majesty's troop ship *Simoon* for three days, without bedding or blankets, and were compelled to lie upon bare boards, without any covering; and whether they were kept without food from five p.m. on the 11th of November, when they left the ship, until they arrived at Aldershot at half past two the next day?

SIR JOHN PAKINGTON: I have felt it my duty to make careful inquiry into this statement, and I hope I shall be able to convince the hon. Gentleman that the newspaper account of the matter has been characterized by great exaggeration. I find it to be true that the 40th Regiment did sail in the *Simoon* from Portsmouth on Saturday, the 9th ult.—and really I am inclined to believe that this was the most serious mistake that was made. Sunday is regarded as a *dies non,* and therefore on the arrival of a regiment at a port on a Sunday it is not allowed to land. I do not say where the blame is to fall; but I think it is to be regretted that, under these circumstances, the embarcation of a regiment for such a short passage should be allowed to take place on the Saturday, involving, as it clearly does, the unnecessary detention of the men on board ship. In consequence of the sailing of this regiment on the Saturday it was detained at Spithead during the whole of Sunday, and I believe this is what is to be most complained of. It so happened that on Monday, on account of the state of the tide, the men were unable to land in time to proceed to Aldershot that day, and therefore they were detained until Tuesday morning. It is stated that the men were kept for three days without bedding or blankets, and were compelled to lie on the bare boards. The explanation of this is very simple. In short passages the soldiers do not like to be supplied with blankets. If any are lost, the company losing them has to pay for them, and I am told that in one instance as heavy a charge as £15 was imposed upon the companies for lost blankets. So strong is the feeling among the soldiers on the subject, that on the occasion of the 13th Regiment being conveyed from Queenstown to Gibraltar last summer, although the surgeon was anxious they should take blankets, they one and all refused to do so. In this case, I believe, from the same motive, the men were unwilling to take the blankets. There were plenty of them on board, and they might have been had if the men had desired them. Blankets were supplied to the women and children, and the men did not have them because they did not wish for them. As to the men being compelled to lie on bare boards, the men are supplied with boards on an incline, and I am told that for short passages the men prefer to lie upon them wrapped in their great coats. The whole of the last part of the statement as to the men being kept without food is incorrect. The facts are that before the men went ashore on Tuesday morning they had tea for breakfast. The Quartermaster Sergeant declined a supply of biscuits because the men had plenty in their messes, and after the men had left the vessel a quantity of biscuits was found on board. They arrived at Aldershot between one o'clock and half past one, and they then found their dinners ready for them.

TURKEY—EPIRUS AND THESSALY.

QUESTION.

LORD JOHN HAY asked the Secretary of State for Foreign Affairs, Whether there is any Despatch in the Foreign Office from Mr. Elliot, dated 1862 or 1863, stating that he had intimated to Mr. Boulgaris, the head of the Provisional Government of Greece, that Her Majesty's Government would see with pleasure the annexation of Epirus and Thessaly to Greece, or words to that effect; and, if the noble Lord will lay the same upon the table?

LORD STANLEY: I understand that an intimation of the nature referred to in the Question was conveyed to the Turkish Government at that time, but was conveyed, as I explained to the House on a former occasion, only on the supposition which then existed that the Porte would be inclined to receive favourably a proposal of that kind; and when that supposition was found to be erroneous, the proposal was withdrawn and has not been again put forward. The papers in question are of rather a confidential character, and I do not think it would be for the benefit of the public service to produce them.

ITALY—THE ROMAN QUESTION—THE PROPOSED CONFERENCE.—QUESTION.

SIR HENRY WINSTON-BARRON asked the Secretary of State for Foreign Affairs, Whether he has consented to have England represented at the proposed Conference on Italian affairs, and on what terms?

Lord STANLEY: I stated on the first day of the present Session the nature and purport of the answer which, on behalf of Her Majesty's Government, I had given to the French Government in reply to the invitation to attend a Conference upon the Roman question. To that answer I adhere, and I have not modified it in any respect.

ABYSSINIAN EXPEDITION—STORES.

QUESTION.

Mr. OTWAY, in the absence of the hon. and gallant Member for Lichfield (Major Anson), asked the Secretary of State for War, Whether the Stores for the Abyssinian Expedition are to be provided by the Indian Government; whether such Stores as may not be consumed or injured during the campaign are to be returned into store at Bombay, or whether they are to be kept by us, as was the case in China in 1860; and, if the latter is the arrangement come to, whether any officers have been sent out by the Treasury to watch the expenditure and protect our interests, so as to preclude our having to pay for Stores of an obsolete pattern?

Sir JOHN PAKINGTON: The hon. Gentleman is aware that this expedition to Abyssinia is being principally organized at Bombay on behalf of the Imperial Government. I do not quite understand in what sense my hon. and gallant Friend, whose Question this is (Major Anson), uses the word "provided." If he means to ask whether the stores are to be provided at the cost of the Indian Government, I answer certainly not. The expense of providing the whole of these stores will be defrayed from Imperial sources; but the stores themselves will be supplied in a very large degree from Bombay, either furnished by the War Department on requisition from the Indian Government, or obtained by the Indian Government in open market. The answer to the second Question is, that I have no doubt that "such stores as may not be consumed or injured during the campaign" will be returned into store at Bombay, and will not be kept by us. This is an expedition fitted out by the Indian, and not by the Imperial Government, as the China expedition was. With regard to the last Question, a Treasury officer has been sent out to audit the general expenses, but no officers have been sent out with special reference to the stores supplied. When the campaign is over, British interests will receive ample protection The probability is that the stores will be retained at Bombay; at all events, none of an obsolete pattern will be left on our hands.

HALE'S ROCKETS.—QUESTION.

Mr. OTWAY asked the Secretary of State for War, Whether it is true that £8,000 was paid, by the Report of the War Department, to Mr. Hale for the invention of the Rockets which bear his name; whether these Rockets were after severe tests finally adopted by the Ordnance Select Committee to the exclusion of Stick Rockets; whether it is to Mr. Hale's 12-pounder Rockets that the following extract from a Despatch of the Secretary of State for India refers (see Parliamentary Paper)—

> "On application to the War Office, however, it was found that there were no 12-pounder Rockets in store, and that it was impossible to manufacture the requisite quantity before the time at which they would be needed; it has therefore been determined to send for the use of the force 1,800 of the 6-pounder Rockets;"

and, whether Mr. Hale has informed the War Department that from 800 to 1,000 of the Hale Rockets could be manufactured per week?

Sir JOHN PAKINGTON: I have to answer in the affirmative the first two Questions of the hon. Gentleman. £8,000 were paid to Mr. Hale by the War Department for the invention of the peculiar rocket which bears his name, and it is quite true that these rockets were, after what was considered a sufficient test, finally adopted by the Ordnance Select Committee. It is also quite true that the paragraph which the hon. Gentleman has quoted from the despatch of the Secretary of State for India does refer to the rockets of Mr. Hale. But the quotation from that despatch requires some little explanation on my part. I have made very close inquiry in the War Office, and we cannot find there the slightest trace of any requisition from the India Office for a supply of 12-pounder rockets. I find that, in October, I believe, a telegraphic communication was made to the War Office from the Admiralty asking merely whether any 24-pounder rockets could be supplied. The answer to that question was, after inquiry, that there were 1,000 Hale 24-pounder rockets in store at Woolwich. Subsequently Admiral Key, the Director of Naval Ordnance, inquired whether any 12-pounder rockets were in store. The answer was in the negative. We were not asked whether we could obtain any. We were asked how soon they could be made in the Arsenal, and the answer was that it would take some time to prepare them. No doubt we could have obtained 12-pounder rockets from the private trade, but we were not asked to do so. On the contrary, I understand that General Willoughby, the Chief Officer of Stores in the India Department, went down to Woolwich to inquire about the 12-pounder rockets, and, finding none in store, made inquiries respecting the 6-pounder rockets. He was informed that all military men were agreed that the 6-pounder rockets were the more useful of the two; he was quite content to accept a supply of them; and rockets of that description were accordingly forwarded for the use of the Expedition. As to the last Question of the hon. Gentleman, Mr. Hale has not informed the War Department that from 800 to 1,000 of the Hale rockets could be manufactured per week. I hold in my hand the only letter received at the War Office from Mr. Hale, and in this, referring to the fact that no 12-pounders were in store, he stated that this appeared most unaccountable, but that a small company might manufacture 500 in a week. He never said that he could manufacture 800 in a week.

REPRESENTATION OF THE PEOPLE BILL—PERSONAL RATING.

QUESTION.

MR. GOSCHEN asked Mr. Attorney General, Whether the provisions of the thirtieth section of the Act 2 *Will.* 4, c. 45, which enact that any occupiers who claim to be rated and tender the full amount of rates, if any, then due, shall, notwithstanding the neglect or refusal of the overseers to put his name upon the rate for the time being, "nevertheless for the purposes of the said Act be deemed to have been rated," have in any way been restricted or modified by the Reform Act of last Session: Whether any change in the form of such claim to be rated is rendered necessary by Section 2 of Clause 7, or by any other Clause of the Reform Act of last Session: Whether the protection afforded to occupiers who are entitled to the franchise under the Reform Act of 1832 by the provision that the claim to be rated is sufficient to convey the franchise, whether the overseers comply with the demand or not, is extended to those who are entitled to the franchise under the Act of last Session, notwithstanding the omission of any similar provision in the Act itself: Whether Section 2, Clause 7, of the last Reform Act, lays the burden of ascertaining that all the necessary entries are correctly and fully made in the rate book on the occupier on pain of losing his vote, or whether it is only an injunction to the overseers, the non-compliance with which will not invalidate the qualification of the occupier: Whether, if the overseers neglect or refuse to enter into the rate book the separate amount of rate falling on each separate tenement of a block of buildings or a house hitherto rated as a whole, the occupiers of such separate tenements will lose their votes, or whether a claim on their part to be fully rated and to pay whatever may be their proportion of rate, though they are unable to state in their claim what that amount may be, will be sufficient to entitle them to a vote: And, if such claim is not sufficient, what powers have the occupiers to ascertain the proportionate amount of rate falling on their tenement, or to compel the overseers to rate them separately.

THE ATTORNEY GENERAL: In answer to the Questions of the right hon. Gentleman, I am quite willing to give my individual opinion on the section of the Act of Parliament and the law as it now stands. The first Question is—

> "Whether the provisions of the thirtieth section of the Act 2 *Will.* 4, c. 45, which enact that any occupiers who claim to be rated and tender the full amount of rates, if any, then due, shall, notwithstanding the neglect or refusal of the overseers to put his name upon the rate for the time being, 'nevertheless for the purposes of the said Act be deemed to have been rated,' have in any way been restricted or modified by the Reform Act of last Session?"

As far as I can see, those provisions have not been modified in any way. The second Question is—

> "Whether any change in the form of such claim to be rated is rendered necessary by Section 2 of Clause 7, or by any other Clause of the Reform Act of last Session?"

As far as I can see, there is no form given by the 2 *Will.* IV. c. 45; and if since the Act of last Session a claim is made to be rated in pursuance of that Act, that is all that is required from the occupier who desires to be put upon the rate book. The next Question is—

> "Whether the protection afforded to occupiers who are entitled to the franchise under the Reform Act of 1832 by the provision that the claim to be

rated is sufficient to convey the franchise, whether the overseers comply with the demand or not, is extended to those who are entitled to the franchise under the Act of last Session, notwithstanding the omission of any similar provision in the Act itself?"

In my judgment that protection does continue, because it will be found that the Act of 1832 is, by Section 59 of the new Act, incorporated with that Act and made part of the Act itself. The fourth Question put to me is—

> "Whether Section 2, Clause 7, of the last Reform Act, lays the burden of ascertaining that all the necessary entries are correctly and fully made in the rate book on the occupier on pain of losing his vote, or whether it is only an injunction to the overseers, the non-compliance with which will not invalidate the qualification of the occupier?"

The Question may be answered in this way — The 3rd section of the new Act points out who is to be entitled to the franchise, and the person entitled as an occupier of a dwelling-house must have been rated and must have paid his rates. No substantial alteration in the law is made by the Act of last Session. Certain things must appear on the rate book or else the occupier is not rated as is required in order that he may obtain the franchise. He is therefore in the same position as the occupier was before; and as regards misnomers and inaccuracies, the right hon. Gentleman knows that there is an Act, 6 *Vict.*, which provides that many of these inaccuracies shall not vitiate the entry on the rate book. In other respects the occupier remains in the same position as before the late Act passed. The next Question is—

> "Whether, if the overseers neglect or refuse to enter into the rate book the separate amount of rate falling on each separate tenement of a block of buildings or a house hitherto rated as a whole, the occupiers of such separate tenements will lose their votes, or whether a claim on their part to be fully rated and to pay whatever may be their proportion of rate, though they are unable to state in their claim what that amount may be, will be sufficient to entitle them to a vote?"

In reply to that, I beg to say that I believe it will be found that since the last Act occupiers of blocks are in precisely the same position as before. When owners choose to let their houses in flats, as in Victoria Street, a difficulty did before exist, and the same difficulty will exist still. However, under the 7th section of the late Act, the overseers are required to ascertain the occupiers of each separate house within the meaning of the Act, and to put their names upon the rate book. The last Question is—

> "And, if such claim is not sufficient, what powers have the occupiers to ascertain the proportionate amount of rate falling on their tenement, or to compel the overseers to rate them separately?"

My answer is that they should at once give notice to the overseer that they claim to be occupiers within the entire block, and they would have a right to appeal in the event of the overseer not rating them separately. And if complaint should be made that the overseer wilfully or maliciously refused to rate them separately, an action might lie against the overseer for so refusing. I have now answered the Questions as well as I can. These are my individual opinions on the subject; but it is difficult in a question of this kind to go into all the reasons for such opinions.

SIR WILLIAM HUTT said, that in the borough he represented (Gateshead) the overseer, while rating to the poor the occupiers of those houses which were formerly compounded for, took a different course in their case from that which he pursued with respect to the occupiers of separate tenements. In respect to those houses he placed on the book not the occupier, but the owner; and under these circumstances the occupiers would not be qualified. He wished to ask the opinion of the hon. and learned Gentleman whether the overseer had taken a sound view of this portion of the Reform Act?

THE ATTORNEY GENERAL: I think that the view which has been taken by the overseer is wrong; because under the 7th section it will be found that after the passing of the Act no owner of a dwelling-house shall be rated to the poor rate instead of the occupier, except as thereinafter mentioned; and the next clause is that the full rateable value of every dwelling-house, the rate, and the name of the occupier shall be entered upon the rate book.

EXPLOSION OF THE "BUBULINA" IN THE MERSEY.—QUESTION.

MR. VANCE said, he would beg to ask the Secretary of State for Foreign Affairs, If his attention has been directed to the destruction of the *Bubulina* war steamer in the Mersey, on the eve of her departure for Greece, occasioning a great loss of life: Also, if his attention had been directed to the circumstance of the Greek Government having purchased, fitted up with warlike stores, and filled with munitions of war, two steamers which had formerly been employed as Confederate blockade runners, the *Bubulina* and the *Amphitryte*: And, if it is the intention of Her Majesty's Government to make any inquiry from the Greek Government as to the destination of these vessels, and if they were intended to be used against a Foreign Power with whom we are on terms of friendship and alliance?

Lord STANLEY: Sir, I have seen the account in the newspapers, as probably we all have, of the destruction of the *Bubulina* in the Mersey, and I understand that she and another steamer were bought and fitted up for the Government of Greece. That Government not being a belligerent, but being at peace with all nations, has a legal right to purchase and fit out ships of war in an English port or anywhere else. They are the best judges of the amount of naval force which they deem necessary for the protection of their coasts and their trade, and the British Government do not desire to interfere in such a matter. No doubt, if we thought the Greek Government intended to engage in a war with Turkey or any other Power with which we are in relations of friendship, we should remonstrate; but we are not at present in a position to think that any such intention exists on the part of the Greek Government.

DIPLOMATIC RELATIONS WITH SAXONY.—QUESTION.

Mr. HARDCASTLE asked the Secretary of State for Foreign Affairs, Why there was no diplomatic or consular representative of Great Britain resident at Dresden, all other Powers having recognised agents there; whether Mr. Barnard, who was properly attached to the late British Legation at Dresden, and who now resided at Gotha, might not be with advantage transferred to Dresden; and whether a British Vice Consul might not be appointed, the nearest consular authority being now stationed at Leipsic?

Lord STANLEY: When last year I advised Her Majesty to withdraw the mission then existing at Dresden, I did so on two grounds—the first, that Saxony having joined the North German Confederation no diplomatic business of any importance remained to be transacted there, and it seemed to me that the maintenance of a mission at Dresden was an unnecessary expense. The second ground was that I wished, on the part of the British Government, to give an early and public mark of adhesion to the policy of North German Unity. Now, however, the Union of North Germany is an accomplished fact—a fact with which no person proposes to interfere. I certainly still think that to retain at Dresden a mission, costing some £4,000 a year, would be needless expenditure of public money. But it is a fact that there is a considerable resident English population in that capital, and many complaints have been made to me at various times of the absence of any British official to attend to their requirements. I find that all the other great Powers have retained Ministers there; and though not proposing to re-establish the mission, I do intend to compromise the matter by sending a Secretary of Legation to reside there as Chargé d'Affaires. This can be done at small cost, and it will, I believe, be satisfactory to the public and meet the wishes of the British population in Dresden. With regard to the question of removing Mr. Barnard, I think the arrangement I propose would be found more convenient. I am disposed to doubt whether the appointment of a Vice Consul would be necessary; but that is a point which may be reserved for future consideration.

INDO-EUROPEAN TELEGRAPH LINES.

QUESTION.

Mr. FINLAY asked the Secretary of State for India, Whether the following statement in the morning newspapers was correct:—

> "Communication by the Indo-European telegraph lines is interrupted owing to a defect in the Persian Gulf cable;"

also, whether there was any certainty of a land line of telegraph wires from Egypt to Massowah being completed before the rainy season commenced in Abyssinia?

Sir STAFFORD NORTHCOTE said, it was true that the communications by the Indo-European telegraph lines had been partially interrupted, but it was not in consequence of any defect of the cable, but of a breakage which appeared to have taken place about 100 miles from Constantinople. That circumstance occasioned some small delay; but the communication was kept up over the injured part by means of messengers. He yesterday received separate telegraphic despatches from India which were rather behind their time, the earliest being dated the

25th and the last the 27th of November. He apprehended, therefore, that communications were still open, though messages were partially delayed in consequence of the break. With regard to the second Question, he was not aware precisely of the state of forwardness of the Egyptian land line telegraph; but he did not think there would be any means of telegraphic communication completed to Massowah before the commencement of the rainy season.

In reply to Lord JOHN HAY,

SIR STAFFORD NORTHCOTE said, he presumed commercial messages were forwarded by messengers over the broken part of the line in the same manner as Government messages; but he had no information on the subject.

INCOME TAX BILL—[BILL 16.]

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Hunt.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Additional Rates of Duty to be charged on half-yearly and quarterly Assessments.)

MR. CHILDERS said, that this was the first time such a Bill had been introduced after the commencement of the second half year, and that there were several Indian and other securities on which both the half yearly dividends had been already paid. He wished, therefore, to know whether the Government proposed to adopt any plan for making those dividends chargeable?

MR. HUNT said, the attention of the Government had been given to this point, but they were advised that the amount in question was so infinitesimal that it was not worth while to make any special provision for bringing it into charge. The amount, as they were advised, that could in any case be collected did not exceed £18,000, and they saw no method of bringing it into charge.

Clause *agreed to.*

Clause 3 (Relief to Persons whose Incomes are under two hundred a Year.)

MR. DARBY GRIFFITH pointed out that the effect of the Bill would be to double the tax for the last quarter of the year, which would be a serious burden on persons of limited incomes. He wished for an explanation of this clause, which was taken from the Act of 1863, and was very obscurely worded. He believed, indeed, when first adopted, very few Members understood it.

MR. HUNT replied, that he was unable to say whether very few Members understood the provision when first introduced. He perfectly understood it himself, and had not till now heard it charged with ambiguity. No doubt, such provisions were often drawn in rather technical language by officials skilled in the management of the public finances; but this clause had been in operation without leading to any difficulty, and he hoped therefore his hon. Friend would not suggest any.

Clause *agreed to.*

Remaining clauses *agreed to.*

Bill *reported,* without Amendment; to be read the third time *To-morrow.*

TOTNES, &c., WRITS BILL.

LEAVE. FIRST READING.

THE ATTORNEY GENERAL said, that on a previous evening his attention had been called by the hon. Member for Chatham (Mr. Otway) to the form in which the 12th section of the Reform Act had been framed, in which it was provided that the election of Members for the boroughs of Totnes, Great Yarmouth, Lancaster, and Reigate should cease and determine after the Reform Act came into operation. He had since looked into the matter, and found that it was not sufficient to meet a possible case that might arise by a Resolution of that House. He had therefore brought in a short Bill which provided that no writ or warrant should be issued for the election of a Member or Members for these boroughs after the passing of that Act, and that no registration of voters should take place in any of those boroughs.

Bill to forbid the issue of Writs for Members to serve in this present Parliament for the Boroughs of Totnes, Reigate, Great Yarmouth, and Lancaster, *ordered* to be brought in by Mr. ATTORNEY GENERAL and Mr. SOLICITOR GENERAL.

Bill *presented,* and read the first time. [Bill 20.]

House adjourned at half after
Five o'clock.

HOUSE OF LORDS,

Tuesday, December 3, 1867.

MINUTES.]—*Took the Oath*—The Lord Elphinstone.

PUBLIC BILLS—*First Reading*—Income Tax*; Consolidated Fund (£2,000,000)*; Totnes, &c. Writs* (7).

Second Reading—Sales of Reversions (5); Metropolitan Streets Act (1867) Amendment [8].

GAMBLING IN HONG KONG AND HELIGOLAND.—QUESTION.

LORD TAUNTON said, he wished to ask two Questions deeply affecting the honour and character of this country. He was induced to do so, because he understood that an ordinance had come home from Hong Kong licensing some gambling-houses in the colony. At the time that he held the seals of the Colonial Office a similar ordinance came home, and he felt it his duty to recommend that the sanction of the Crown should not be given. It was reported in the papers that the sanction of the Crown had been given in the present instance; but he had since received information which led him to doubt that such was the case, and the noble Duke (the Duke of Buckingham) probably would have no objection to give their Lordships accurate information upon the subject. At a place nearer home there was reason to believe that a notorious public gambling-house had also been established. Heligoland during the summer was very much resorted to for purposes of health and bathing, especially by the citizens of Hamburg; and these complained that their young men, belonging principally to mercantile houses, were there attracted to the gaming table, to the serious injury of their interests and prospects. It certainly was not creditable to this country that a gambling-house should exist under-British protection so close to our own shores. He remembered that when at the Colonial Office he had sent out peremptory instructions to put an end to the system, and he now heard with some surprise that it was still in existence. He wished to ask the noble Duke, Whether he was prepared to lay upon the table any Papers showing what the facts in these two cases really were?

THE DUKE OF BUCKINGHAM said, it was quite true that both at Heligoland and Hong Kong gambling-houses existed, and that their existence was an evil to those colonies, and, to some extent, an imputation on our administration. They were no doubt a very great evil, which ought to be put an end to at the earliest possible opportunity. With regard to Heligoland, there was only one gambling-house, but the last renewal of the lease under which the property was held, granted in 1855, would not expire until January, 1871. He had been in communication with the authorities of the Island, and also with the Governor, as to whether the practice could be discontinued earlier; but it was very doubtful whether, under the peculiar arrangements of the colony, that would be possible. Certain funds belonging to the orphans of the Island had really no other security than the income derived from this property, let and used as a gambling-house. Peremptory instructions, however, had been given to the Governor to see that during the current year, and as far as necessary during the remainder of the lease, the revenue received should be applied to no other purpose than to the reduction of the debt charged upon this property, so as to facilitate the abolition, at the earliest moment, of what really might be called one of the institutions of the Island. There would be no objection to lay on the table a copy of the lease, if one existed in this country; and, if not, one could be applied for. With regard to Hong Kong, it was quite true that an ordinance was sent home from the colony in 1866, which provided for the general improvement and for the maintenance of order and cleanliness in the colony. This ordinance contained a clause to the following effect:—

> "And whereas the evils of gambling in the colony are found to be on the increase, notwithstanding the application of the penal laws in force for their prevention, and it is expedient to devise and adopt further measures for the gradual control and ultimate suppression thereof; be it therefore enacted that it shall be lawful for the Governor in Council from time to time to frame and pass such rules, regulations, and conditions as may be deemed expedient for the total suppression, or in the meanwhile for the better limitation and control of gambling in this colony, with power from time to time to alter and amend such rules and regulations or repeal the same or any part thereof."

A copy of that ordinance arrived in this country in the latter part of the year 1866, and came under the notice of the noble Earl who was then at the head of the Colonial Office (the Earl of Carnarvon), and, after some considerable investigation, the noble Earl came to the conclusion which was expressed in his despatch to the Governor of Hong Kong, to the following effect:—

> "Looking to the special circumstances and the state of society to be found in the Chinese community at Hong Kong, I am led to the conclusion that the evils arising from this apparently irrepressible vice require and justify exceptional treatment."

That despatch of the noble Earl was dated in November of last year. On receiving it the Governor of Hong Kong remonstrated against the limitation proposed, and argued very strongly in favour of a practice which appeared to have been very common in some of the Chinese cities—namely, that of granting Government licences to gambling-houses, not with the view of putting them down, but with the object of obtaining a large revenue from them, and of insuring that no other such houses should be opened. This remonstrance from the Governor came into his (the Duke of Buckingham's) hands almost immediately after he had undertaken the duties of head of the Colonial Office, and he at once proceeded to review the circumstances which had induced the Earl of Carnarvon to give the instructions objected to by the Governor. In the course of his investigations he found that the view taken by the Governor had frequently been put forward by the authorities of Hong Kong. At the time when Lord Stanley and his noble Friend (the Earl of Carnarvon) were at the Colonial Office a long correspondence took place upon this subject, in which it was distinctly announced that Her Majesty's Government could not and would not sanction the raising of revenue from such a source. He further found that under the system hitherto adopted by the police the number of gambling-houses and of those frequenting them had considerably increased instead of diminishing, and that the Government of the colony had found themselves unable to put down the evil. The facility with which the practice was carried on he found to result from the system adopted by the proprietors of the gambling-houses of regularly bribing the police—a system which, of course, had a most demoralizing effect upon that force. After a careful consideration of the whole subject, he had come to the conclusion that the decision arrived at by his noble Predecessor was the right one, and that the first step towards the suppression of these houses was to obtain a full knowledge of them by means of a compulsory registration. Under these circumstances, he informed the Governor that he declined to sanction any departure from the previous instructions, and that any charges that might be made on the registration of the houses should be such as should merely meet the expenses incurred in keeping them under surveillance and the control of the police. In the meanwhile the rumour that it was the intention of the Governor to grant licences had spread through the adjoining towns, and numerous offers were made to the Governor of large sums for the privilege of keeping gaming-houses in Hong Kong. In consequence of the spread of these rumours he (the Duke of Buckingham) had considered it necessary to repeat to the Governor his instructions that no revenues could be permitted to be raised through granting such licences, and that his attention should be directed towards the ultimate suppression of these houses, and not towards drawing a revenue out of them. It appeared that subsequently to the despatch of those instructions a certain number of these houses had been registered, and that considerable fees had been paid by their proprietors; but at the present moment the Government had not received from the Governor a copy of the rules and regulations under which the registration had taken place, neither were they aware of the steps that the Governor had taken in the matter. The object which both he and his noble Predecessor had in view in the instructions they had sent to the Governor of the colony was to secure the ultimate suppression of these gaming-houses, and they never for one moment thought of permitting revenue to be raised by means of licensing such places. There certainly appeared to be an inordinate desire in the colony that the revenues should be raised by any means except that of taxation; but those who advocated such a system would receive no support from Her Majesty's Government. The Governor had intimated his opinion that in a very short period, if stringent means were adopted, the evil of gaming would be extirpated in the island in the same manner that piracy had been put down; but the opinion of Her Majesty's Government was that the spirit of gambling was so innate among the Chinese population that, although it might be greatly mitigated, the evil would not be entirely removed within the time contemplated by the Governor. In conclusion, he had to say that he had no objection whatever to laying the ordinances upon the table of their Lordships' House, but that he could not consent to lay upon the table a Correspondence which was not yet brought to a conclusion.

ADJOURNMENT FOR THE RECESS.

STATEMENT.

The Earl of DERBY: My Lords, I wish to state for the information of this House that I find that the business of the House of Commons will be brought to a close certainly by Friday next; and therefore I think it desirable that the adjournment of both Houses should not be postponed longer than that day. In order that the business of this House may be concluded within that period I have to propose to your Lordships to sit for a short time to-morrow, for the purpose of advancing a stage certain Bills to which no objection has been raised. I was afraid at first that, even in the event of your Lordships agreeing to the proposition I have just made, it would be impossible to adjourn the House before Saturday; but if the business is got through on an early hour on Friday, we may be able to adjourn on that day until the ordinary period of meeting in February.

SALES OF REVERSIONS BILL.

(*The Lord Chancellor.*)

(NO. 5.) SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

The LORD CHANCELLOR, in moving that the Bill be now read a second time, said, that its object was to place the sales of reversions and ordinary sales of land in possession upon an equal footing. Under the existing law a purchaser of a reversion must prove that he has given adequate value for the property—a proof which was not required in the case of the sale of property in possession. In one instance, where the purchaser had evidently acted in the most upright and fair manner, the Judges had felt bound by the authorities to reverse the decision of the Master of the Rolls holding the sale in question good. All that the Bill now before the House proposed to do was to enact that the purchase of a reversion should not be set aside merely upon the ground of the inadequacy of the price paid, leaving the law as it at present stood in cases of fraud, overreaching, or gross inadequacy from which fraud may be presumed. He thought he need say no more to induce their Lordships to read the Bill a second time.

Motion *agreed to:* Bill read 2ª, and *committed* to a Committee of the Whole House on *Thursday* next.

METROPOLITAN STREETS ACT (1867) AMENDMENT BILL—(No. 4.)

(*The Lord Clinton.*)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2ª."—(*The Lord Clinton.*)

Lord CLINTON, in moving that the Bill be now read a second time, said, that it had been introduced for the purpose of remedying a defect in an Act which was passed last Session by altering its 6th clause, so that it should no longer apply to costermongers or other itinerant tradesmen, and by this means to place the costermongers in the same position they occupied before the passing of that Act, with the exception that they were to be under the control of the Commissioners of Police. If this Bill were not passed, not only would serious injury be inflicted upon these persons, but considerable loss and great inconvenience would be caused to numbers of poor persons throughout the metropolis who were enabled through the means of itinerant vendors of provisions to obtain articles of food and small luxuries more cheaply and more readily than they could do in any other way. He trusted that their Lordships would consent to read the Bill a second time.

Motion *ageeed to:* Bill read 2ª, and *committed* to a Committee of the Whole House on *Thursday* next.

PROCESSIONS (IRELAND).

ADDRESS FOR PAPERS.

Lord DUFFERIN, in moving an Address for Police Reports of the recent Processions in Ireland, said, he would take that opportunity of asking the noble Earl at the head of the Government, Whether his attention had been directed to certain processions which were said to have taken place in Cork and other parts of Ireland with the avowed object of eliciting an expression of sympathy from certain portions of the population in favour of the unfortunate men who had recently been executed at Manchester? He was, of course, aware that, however intense might have been the spirit of partisanship which gave birth to these demonstrations, it was quite possible that those who took part in them had kept within the letter of the law, and therefore had not rendered themselves liable to any punishment; and upon this point, therefore, he did not wish to express any opinion whatever, nor to elicit one from Her Majesty's Government. In all probability, the Government had not yet in its possession sufficiently full information as to what had occurred to enable them to arrive at a conclusion upon the subject. Nor did he wish to speak in any harsh terms of the processionists themselves. He deeply deplored that these demonstrations should have been made, because they implied the existence of an unhealthy and unfortunate state of feeling in the minds of a certain class of the population of Ireland. But when their Lordships recollected that within the last few days the popular press of Ireland—including, he was sorry to say, some of the most respectable of the journals of that country—had persisted in representing that the murder of the unfortunate policeman Brett in the discharge of his duty was an unforeseen and an unintentional accident, and that the execution of Allen and his accomplices was not carried into effect for the purpose of vindicating our outraged laws, but to gratify a vindictive and anti-Irish spirit on the part of the English Government, they could not be surprised that an essentially warm-hearted and affectionate people like the Irish should give expression to feelings which such gross misrepresentations as those to which he had referred were calculated to elicit. The purpose for which he had ventured to rise was to impress upon Her Majesty's Government the necessity for an impartial enforcement from one end of Ireland to the other of the Party Processions Act without regard to religious creed or to political opinion. He did so the more earnestly inasmuch as he had very recently been called upon in the official position he held in his own county to assist in the rigorous application of the regulations of that Act. As their Lordships would probably remember, under the Party Processions Act any procession, no matter however orderly it might be, or however respectable the persons composing it, would render those forming it liable to prosecution if any of them decorated themselves with party colours. The case to which he had referred as having occurred in his own county was that of Mr. Johnston and his friends, who had organized a procession from one small town to another. The magistrates went thoroughly into the case, and gave it their most patient attention. It was clearly proved that no breach of the peace had been committed, and that nothing could have been more orderly or more respectably conducted; but it was also clearly established that while proceeding along the public thoroughfare some of those who formed the procession had worn party colours. The magistrates, upon this evidence, felt themselves bound to come to the conclusion that the parties had placed themselves within the provisions of the Act, and that therefore the only course open to them was to send the case to the assizes. Nothing could be more unfortunate than that an impression should become prevalent that the law was different in one part of Ireland to what it was in another, and that the Party Processions Act was to be enforced with rigour in the Northern district of the Island, while it was permitted to be broken with impunity in the South. Of course, he was aware it had been said that those who took part in the processions in question had only worn green, and that as green was not a party, but a national colour, those wearing it had not brought themselves within the provisions of the Act. That was a legal question which he was not in a position to discuss; but he could not help feeling that an Orangeman who had been put into gaol for wearing a blue riband would find a difficulty in assenting to the distinction drawn between the guilt of wearing the different colours. Their Lordships were all aware that green was the national colour of Ireland, and that all Irishmen were proud to wear it on certain occasions; but unfortunately that colour had, in many instances, been degraded from a national colour to a party emblem, and had acquired as sinister a significance as orange or blue.. He was certainly no friend to the Orange Society—he had no sympathy with what he might term the presumptuous way in which the Orangemen claimed for themselves a monopoly of loyalty in Ireland. He acknowledged that they were a loyal, orderly, and respectable body of men; but he was convinced there were thousands in Ireland who, though not Orangemen, and abhorring the name of the society, were every whit as loyal as the members of that body. But that was no reason why they should be dealt with differently from the rest of their fellow-countrymen, and he confessed he should find difficulty in suppressing feelings of indignation if the law were applied towards one portion of Her Majesty's subjects in one way, while in reference to another portion it received a different interpretation. It was on that account that he had ventured to take this opportunity of pressing upon Her Majesty's Government the necessity of an impartial application of the Party Processions Act—so far, of course, as that Act might be found applicable—to every portion or party in Ireland; and he felt convinced that the observations he had made were consonant with the feelings of the noble Earl opposite. No Government had given more tangible proof of its determination to administer the law in Ireland with perfect impartiality than the present Government, and it was only those who were acquainted with the vehemence of opinion on this subject in Ireland who could appreciate the difficulties they had to encounter in adopting such a course. It is true he would not be justified in identifying the noble Earl with the Orange Society; but it was a fact that the members of that society were always more ready to extend their confidence to the noble Earl's Government than to any other great party in the State; and among its chiefs were to be reckoned many of the noble Earl's stanchest supporters. Consequently, Her Majesty's Government must have had very many inducements to act with less vigour than they had done, and it was on that account that he was glad to have the opportunity of thanking the noble Earl for the impartiality which he had displayed in connection with the application of this law; and he was also encouraged, on the same account, to recommend the occurrences to which he had referred to the consideration of the noble Earl, and of the Irish Government. The noble Lord concluded by moving an Address to Her Majesty for Police Reports of the recent Processions in Ireland.

THE EARL OF DERBY: My Lords, not only can I not find any fault with the language which the noble Lord has used in asking for these Returns, but I feel bound to offer him my sincere thanks for the very handsome manner in which he has spoken of the motives and the conduct of Her Majesty's Government in dealing with the difficult question of the various denominational processions in Ireland. I may also say that the noble Lord did me no more than justice in stating that he entirely disclaimed any idea of connecting me with the Orange Society in Ireland. I have no hesitation, while at all times I am willing to bear testimony to the loyalty of that body—a loyalty which I am far from admitting to belong to them exclusively—in expressing my deep regret that they should be in the habit of keeping up processions, anniversaries, and celebrations which cannot but be displeasing under certain circumstances to a large portion of their fellow-countrymen, who entertain different religious views; and I have the satisfaction of knowing that that feeling of regret is shared by many of the most distinguished leaders of the Orange party themselves. There are many distinguished members of that society who think that, even when care is taken not to fall within the letter of the law prohibiting party processions in Ireland, still on the ordinary grounds of good feeling, processions which are in the slightest degree calculated to raise unpleasant feelings between members of different religions ought to be avoided. I entirely concur also in what the noble Lord has said about the unfortunate state of feeling in Ireland — a state of feeling fostered, as I am sorry to say it has been, by a large portion of the public press of that country, who have entirely misrepresented the course which Her Majesty's Government felt it their painful duty to pursue with regard to the unfortunate men who suffered capital punishment the other day. Nothing can be more contrary to truth than to imagine that a revengeful or vindictive spirit, or even political feeling, actuated the Government in the performance of what they regarded as an extremely painful duty. It was not, in point of fact, a political offence at all of which those men were guilty; it was a deliberate and premeditated murder—that is to say, it was a premeditated and determined act of violence, to be supported by murder if necessary, and I cannot regard murder as less murder because executed in pursuance of a treasonable object. Therefore, with no vindictive feeling — indeed, with the desire of carrying the prerogative of mercy as far as possible—we could not but believe that we should have been guilty of a grave dereliction of duty if we had allowed an act of deliberate and premeditated murder to pass without making such a signal example as would show that treason was not to be played with in this country—that it is an offence that involves the most serious consequences and must be visited with the most serious penalties of the law. We were in hopes, undoubtedly, when last year we forbore from executing the final sentence of the law upon Burke, that the conciliatory spirit by which we were actuated would have a beneficial effect in preventing the recurrence of similar crimes. Unfortunately, we have found that we were mistaken; unfortunately, it may be, the determination of the Government not to carry out the extreme sentence of the law in that case may have encouraged others in the belief that they could commit crimes of the deepest dye with comparative impunity. It became absolutely necessary therefore to show that the Government was not to be deterred, either by the number of those engaged in the commission of these offences, or by the number of those by whom an extension of clemency was demanded, from doing that from which we felt it impossible, consistently with our duty, to shrink. It is, I think, a most unhappy circumstance that in Ireland the feelings of the people on both sides should be so excitable, so easily raised, and so easily led aside, so that almost the whole duty of the Government in that country is to act as a mediator between contending parties, and to prevent bloodshed and mutual violence. The noble Lord did justice to Her Majesty's Government in the impartiality which he attributed to them. In an official answer which I made to the Orange party generally when applied to for the repeal of the Party Processions Act —an answer which the noble Lord may, perhaps, have seen—I said that while we regarded that Act as exceptional legislation, it was called for by the exceptional state of feeling in Ireland. I added, moreover, that it was the bounden duty of the Government to enforce the law, as the noble Lord acknowledges we have done, impartially and fairly between all parties, and not to connive at any violation of it, or at any offence which might bring the parties engaged within the provisions of the Act. But the noble Lord must excuse me if I say that he has to a certain extent misconstrued the provisions of this Act. The Party Processions Act does not say that it is penal to wear a riband of a particular colour, even if that riband may be taken to indicate a certain phase of political feeling on the part of the wearer. The words of the Act are these—

> "That from and after the passing of this Act all assemblies of persons in Ireland who shall meet and parade together or join in procession, and who shall bear, wear, or have among them or any of them any firearms or other offensive weapons, or any banner, emblem, flag, or symbol, the display whereof may be calculated or tend to provoke animosity between different classes of Her Majesty's subjects, or who shall be accompanied by any person or persons playing music or singing any song which may be calculated or tend to provoke animosity between different classes of Her Majesty's subjects, shall be unlawful assemblies, and every person present thereat shall be guilty of a misdemeanour, and upon conviction thereof shall be punished accordingly."

Now, however much one may regret the tone of public feeling which induces persons either in this country or in Ireland to regard those unfortunate persons who have forfeited their lives in the light rather of political martyrs instead of offenders against the law of their country, neither in this country nor in Ireland, as far as I am aware, have any demonstrations of sympathy or regret been held in which those engaged in the demonstrations have brought themselves by the display of any "banner, emblem, flag, or symbol," under the Party Processions Act, or exposed themselves to the penalties of the law. The question was carefully considered previous to the demonstrations which took place in Dublin and Cork, whether the processions were such as to excite reasonable apprehensions of disturbance; but it was the opinion of the local authorities that no breach of the law was probable, and, in point of fact, there was no violence or disturbance of the public peace. The character of the processions was no doubt greatly to be deplored; but, at the same time, there was no violation either of the ordinary law or of the Party Processions Act, so far as our present information goes, to justify Her Majesty's Government in taking any steps to interfere with the processions, or to punish the persons who took part in them. Further information may show a different state of things; but, on the one hand, while Her Majesty's Government are determined to enforce the law impartially and firmly against all who may violate it from political motives on the one side or the other; on the other hand, I am quite sure the noble Lord will not wish us to strain the law, and attempt to bring within its limits offences which do not fairly come within the scope and purpose of the Act. I assure the noble Lord that he said truly that I had no sympathy with the Orange party, nor have I any peculiar sympathy with the Roman Catholic population in the South. Her Majesty's Government are determined to enforce the law firmly, temperately, and, above all, impartially. I am much obliged to the noble Lord for the credit he has given to the Lord Lieutenant of Ireland and the present Executive for carrying out the Party Processions Act with perfect impartiality up to the present time. I am not aware that any persons have subjected themselves to the penalty of the law; but if it should come to the knowledge of Her Majesty's Government that any have so subjected themselves, they will without vindictiveness, but at the same time temperately and firmly, discharge the duty cast upon them, and vindicate the law of the land.

Motion (by Leave of the House) *withdrawn.*

House adjourned at Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, December 3, 1867.

MINUTES.]—New Member Sworn—Right Hon. Edward Strathearn Gordon, *for* Thetford.

Public Bills—*Ordered*—Church Rates Abolition *; Church Rates Regulation *; Railway and Gas Shares.

First Reading—Church Rates Abolition * [21]; Church Rates Regulation * [22]; Railway and Gas Shares [23].

Second Reading—Totnes, &c. Writs [20].

Committee—Totnes, &c. Writs [20].

Report—Totnes, &c. Writs [20].

Third Reading—Income Tax [16]; Consolidated Fund (£2,000,000)*; Totnes, &c. Writs [20], and *passed.*

THE LATE MEMBER FOR ANDOVER. QUESTION.

Mr. DARBY GRIFFITH asked the Government, Whether it is the intention of the Government to advise the Crown to confer a title of dignity on a gentleman who was for a short time a Member of this House for the Borough of Andover, on account of his having vacated his seat in order to provide a seat for one of the Law Officers of the Crown?

Lord STANLEY: It is not the intention of the Government to advise the Crown to confer a title upon any gentleman on account of his having vacated his seat in order to provide one for a Law Officer of the Crown. Such a use of the patronage of the Crown we should consider improper, not to say corrupt.

THE MERCANTILE MARINE. QUESTION.

Mr. O'BEIRNE asked the Vice President of the Board of Trade, Whether it is his intention to introduce any measure with reference to the Laws which regulated the Mercantile Marine before the Recess?

Mr. STEPHEN CAVE said, he had already stated that a measure for the improvement and consolidation of the laws relating to commercial shipping was in course of preparation by the Board of Trade. It was a work that required very great care and that would occupy much time, and the utmost that could be done would be to introduce it in good time after the re-assembling of Parliament in February.

NAVAL CHAPLAINS.—QUESTION.

Mr. EYKYN asked the first Lord of the Admiralty, If it is the intention of the Lords Commissioners of the Admiralty to improve the position, pay, and organization of the duties of the Naval Chaplains?

Mr. CORRY said, that the subject was under consideration, not only as respected naval chaplains, but also as regarded Roman Catholic and other clergymen. The question presented some difficulties in consequence of the peculiar character of the naval service, and no determination had as yet been arrived at.

SCOTLAND—THE SUPREME CIVIL COURTS.—QUESTION.

Mr. WALDEGRAVE-LESLIE asked the Lord Advocate, Whether the Government intend to bring forward any Measure in February, or soon after, so as to obviate the dissatisfaction said to exist owing to the "great expense, delay, and uncertainty" attending the administration of justice in the Supreme Civil Courts of Scotland?

THE LORD ADVOCATE said, he could not admit that the administration of justice by the Supreme Civil Courts in Scotland was correctly described by the terms used in the Question. It would be improper in answering a Question to comment on the statement from which the terms of the Question were quoted, and he would therefore proceed to answer it. In virtue of the powers they possessed, the Courts had within the last eighteen months made very considerable improvements, calculated to prevent delay and expense, and which had been successful; and he had given some consideration to the question whether still further improvement might not be effected by a Legislative measure affecting the forms of process. If the state of Scotch business would admit of it, it was probable that some such measure would be brought forward in the course of the Session. He must be allowed also to observe that, under the Debts Recovery Act of last Session, an action for the recovery of an account, the last item of which was dated the 27th of September, had been decided by the Sheriff as local judge, and had been decided on appeal by the Court of Session; so he thought it could not be said the Government were negligent of their duties in this respect.

SHIELDS FOR MALTA AND GIBRALTAR.

QUESTION.

MR. O'BEIRNE said, he begged to ask the Secretary of State for War, Whether he has taken any and what steps to prevent the erection of the Shields sent to Malta and Gibraltar until the result of the inquiry by the Committee of which he announced the appointment on Monday last shall have been submitted to the House; whether he can inform the House when it is proposed that the experiments with reference to the Plymouth and Bermuda Forts shall take place; whether it is true that, contrary to the custom usually observed on such occasions, the experiments which took place at Shoeburyness on the 25th of October last to test the Malta and Gibraltar Shields was kept strictly private, even the representatives of the Press being excluded from the ground; whether the Shield was not closely covered up in tarpaulins immediately after being shot at, and by whose orders was this strict privacy maintained; if he will inform the House whether the specifications and drawings issued from the War Office for the Target intended to be shot at as a true section of the Plymouth and Bermuda Forts were in fact identical with the specifications and drawings issued for the original contract for that Fort and if they were not identical, by whose orders were the alterations made, and what steps have been taken, if any, to procure a perfectly correct section of the Fort as it is being manufactured; and, if he will inform the House whether it is the intention of the Government to observe the same degree of privacy with reference to the experiments to be made to test the principle upon which the Plymouth and Bermuda Forts are to be constructed?

SIR JOHN PAKINGTON said, he would give the best answer he could to what the hon. and learned Gentleman called a Question, but which was really a long series of inquiries. He would take the Questions in the order they stood. His answer to the first was that he had not taken any steps to prevent the erection of the shield sent to Malta and Gibraltar until the result of the inquiry by the Committee, of which he announced the appointment on Monday, had been submitted to the House—in fact, it had not been in his power to do so. The shields were sent out to Malta and Gibraltar some months ago; with orders that they should be put in their places; but, whether or not they had been completely placed, he was unable to say. He begged to add that if it appeared as the result of trial necessary that they should be made stronger, there would be no difficulty in strengthening them in their places. In answer to the second Question, he was unable to say with precision when it was proposed that the experiments with reference to the Plymouth and Bermuda forts should take place. The target was being constructed under a contract, and from what he heard he apprehended it would be nearly two months from this time before it could be completed. Whenever that target trial took place, it was his intention to be present, and he should be happy if the hon. Member would accompany him. As to the third Question, he could hardly say that the experiments which took place at Shoeburyness on the 25th of October to test the Malta and Gibraltar shields were kept strictly private, and that the representatives of the press were excluded, inasmuch as a day or two afterwards an accurate account appeared in *The Standard* newspaper; but, certainly, it was intended to exclude the press on that occasion, and its representatives had received no permission to be present. As to the fourth Question, it was quite true that immediately after the experiments the shield was closely covered up in tarpaulins; but he could not say by whose orders the press were excluded and the shield was covered up. No order to that effect proceeded from the War Office, and he believed that such privacy as was maintained was the spontaneous decision of the officer on the spot representing the Ordnance Select Committee. With respect to the fifth Question, the most important part of it, as he understood, consisted in the inquiry whether this target was to be a *bonâ fide* honest section of the fort as it was intended to be constructed? He (Sir John Pakington) had given the most strict injunctions that the target should be a faithful and correct representation of the Plymouth and Bermuda forts as it was intended to erect them. He did not say that in the erection of the target there might not be some slight deviation, on account of the fact to which he had alluded on a former day—that in erecting a section of this kind, it was difficult to give it anything like the real strength and solidity of a connected building, such as an entire fort. Therefore, some additional strength might be required; but he had given the strictest orders that there should be nothing like unfairness, and that the target when erected should be a *bonâ fide* section of the fort as it was intended to complete it. The last Question was one of no inconsiderable national importance. It was, whether the Government intended to observe the same degree of privacy as that described with reference to the experiments to be made to test the principle upon which the Plymouth and Bermuda forts were to be constructed? His answer to the Question as it stood was simply that he did not intend the attempt at privacy to be repeated. He would take the opportunity of saying it was a question how far it was desirable for the interests of the country that these experiments should be witnessed by representatives of the press and by foreign military officers. The question had lately received serious consideration at the Admiralty and at the War Office. The Government had consulted officers whom they thought most competent to give sound and judicious advice; and the result was this—In the first place, they were of opinion that if they desired secrecy in such a case it was

very difficult to obtain it; but the conclusion at which they had arrived, from the best opinions they could obtain, was, that on the whole the interests of the country were more likely to gain than to lose by permitting these experiments to be public. It was therefore his intention immediately to draw up regulations, which he would reserve the power to alter in the event of any peculiar circumstances rendering alteration necessary. Reserving this right, the rule will be that the representatives of the press and officers from foreign countries might, on application at the proper quarter, obtain tickets which would enable them to witness these experiments.

Mr. O'BEIRNE said, the right hon. Gentleman had not answered the fifth Question—whether the specifications and drawings issued from the War Office for the target intended to be shot at as a true section of the Plymouth and Bermuda forts were, in fact, identical with the specifications and drawings issued for the original contract for that fort? The noble Lord the Member for Haddingtonshire (Lord Elcho) had been informed that they were not, and it was very important that they should know if any alterations had been made, and, if so, by whose authority.

Sir JOHN PAKINGTON said, he intended to answer this Question as distinctly as he could, and thought he had done so. He had not himself seen the specifications and drawings, and he was not aware of any alterations; but if there were any, they had been introduced for the purpose already mentioned—namely, in order to impart additional strength and stability to the target. If any alterations, except for that object, had been made—of which he was not aware—they had been made by order of the Engineer officer to whom had been intrusted the preparation of the specifications.

ABYSSINIAN EXPEDITION—WATER SUPPLY.—QUESTION.

Lord JOHN HAY asked the Secretary of State for War, What preparations have been made for the artificial supply of fresh water at and in the neighbourhood of the point of disembarcation of the Abyssinian Expedition; and if he will grant a Return of the amount of condensing power for the supply of fresh water in each vessel intended to be employed in the Expedition, including that of the condensing vessel to be stationed at Annesley Bay?

Sir STAFFORD NORTHCOTE: It has been thought desirable that I should answer this Question, inasmuch as the arrangements of the expedition have been left to the Governor of Bombay. We have no such detailed information in this country as would enable us to answer the specific Question put by the noble Lord; but I can give some information which may, perhaps, meet the point he raises. The House is aware that the course taken has been to send forward an advance party, under the command of Colonel Merewether, with a small committee of officers, who were to select a proper landing-place; and they were instructed, among other things, to fix upon a place where a proper supply of water could be obtained. They have selected Annesley Bay as the landing-place, where was at the moment a moderate supply of water, but not such as was likely to be sufficient for a large force, should it land there. They therefore had recourse for the time to the condensing apparatus of the *Euphrates*, which was the vessel in Annesley Bay. A vessel, which left England in June last, took to Aden two condensing machines, one able to supply 4,000 and the other 2,000 gallons of water a day. The Government of Bombay were told that they might send on one of those, and a third condenser is about to be despatched from this country. With regard to the supply of water, I will read one or two extracts from the Report of the committee of officers appointed to select a landing-place. They say—

> "There is a supply of excellent fresh water within a mile of the shore. This is found in a branch of the Huddas, and is renewed by occasional descents of that river, especially during this season of the year, from October to March. The villagers of Zoula draw from it all the year round; pits are sunk two to three feet below the surface of the ground, and the water freely flows in. Water also is reported to be procurable, by digging, all along the Huddas. At sixteen miles from the shore there is a running stream, from a spring, yielding a plentiful supply of very good water; this is perennial."

Colonel Merewether in his Report, received November 21, says—

> "On inquiry about water supply, it was stated that a running stream existed about twelve miles to the westward of Zoula. . . . . At a little under sixteen miles from the sea-shore, four hours' marching, we came on the water—a clear, running stream, as pure as could be wished. There were two channels; we went to the head of one and found it a natural spring, arising from the side of a hill, and running quickly down into the torrent's bed. The Arkeeko chief and people of the country who were with us said the flow was perennial, never known to dry even in the hottest weather; and, judging from the way it was running, the supply would be inexhaustible. This is a most important point, for it gives within easy access of the shore, at a place not far distant, a spot where the cattle might be sent on arrival from Egypt, India, or elsewhere. Cisterns can quickly be made in which the water could be caught, and animals drink from them without difficulty or mudding the water."

The information at present in possession of the Government is very meagre, we only know that the Committee have decided on selecting this landing-place, having reference to the supply of water among other considerations. But by the next mail, which will probably arrive before the House adjourns, we shall receive much fuller details on this subject, and I will communicate them to the House. With regard to the Return mentioned by the noble Lord, it shall be produced if he will move for it.

THE FOREIGN OFFICE — DIPLOMATIC AGENTS.—QUESTION.

Mr. BAYLEY POTTER asked the Secretary of State for Foreign Affairs, Whether he has any objection to give a Return of the names of the *Employés* in the Foreign Office who are allowed to act or do act as agents for officers holding Diplomatic or Consular appointments under the Crown?

Lord STANLEY: In anticipation of the Question of the hon. Gentleman, I have laid this Return on the table.

NAVY—THE TRAINING SHIP "CHICHESTER."—QUESTION.

Mr. HAYTER asked the First Lord of the Admiralty, Whether he is aware that twenty of the destitute boys from the training ship *Chichester*, after having been duly passed and favourably reported upon by Sir Baldwin Walker, were struck off the books of the *Formidable*, because the certificates of their births could not be produced; and, whether the First Lord of the Admiralty will deem it right to remove this obstacle to the employment of such boys in the Royal Navy, and will communicate his decision to the Committee of the training ship *Chichester?*

Mr. CORRY: Perhaps I may be allowed to say a few words in explanation of the circumstances to which the Question refers. By the 2nd clause of the Continuous Service Act, passed in 1853, it is provided that—

> "Every boy entering when under the age of 18 years into the naval service shall be liable to serve until he attain the age of 28 years."

But in order to make this entry binding it must be legal, and, as these boys are infants in the eye of the law, the entry is not legal unless it obtains the concurrence of the parent or guardian of the boy. In consequence of this, immediately after the passing of the Continuous Service Act, in 1853, an Admiralty circular was issued, which is to the following effect:—

> "Boys must be over the age of 14½, and not above 16 years of age. They must have the written consent of parents or nearest relations, and must produce a certificate of birth from the registrar of the district in which they were born, or a declaration made by one of their parents before a magistrate of the day on which they were born."

With reference to the necessity of this sanction to the entry of the boy I referred the question to the Solicitor of the Admiralty, Mr. Bristow, who says—

> "The Act of 16 & 17 *Vict.* c. 69, sec. 2, contemplates a legal entry by boys, and this can only be attained by their being entered with the consent of their parent or guardian. If this legal entry is not effected, the boy or man can take advantage of the flaw, and either leave the service at will or refuse to be bound by the Naval Discipline Act. Of course, a boy having no parent or guardian cannot be legally entered."

Now, the cost of educating these boys is very considerable, and amounts, on an average, to £45 a year; so that in the case of a boy entering at 14½ years of age and remaining till 18 more than £150 would have been spent on his education, from which the country would derive little or no benefit if he then chose to leave the service. Perhaps the House may suppose that these claims to a discharge are of rare occurrence, but the contrary is the fact, and I am informed by my Colleague, Sir Sydney Dacres, that a great portion of his time is taken up with inquiries into applications by boys and their parents for discharge on account of alleged illegality of entry. These applications average, I am told, five per week. In addition to this reason against dispensing with the certificate of birth and the consent of the parent, there are other objections which I cannot better state than in the words of Captain Tremlett, Captain of the *Impregnable*, training ship at Devonport, and also Superintendent of the other training ships at Portsmouth, Portland, Devonport, and Falmouth. He says—

> "Either a certificate of birth from the registrar of the district in which the candidate was born, or a declaration of age made by one of the parents before a magistrate, is absolutely requisite to determine the period at which the engagement from the age of eighteen is to commence; the frauds as to age are numerous and very vexatious; were this not very carefully attended to, large numbers would enter by misrepresentation, and, instead of getting strong, growing, and well-developed lads, we should be receiving dwarfs, who would in the end have to be discharged. As a rule, I have found that the development of lads from charitable institutions is very poor, and that they are greatly wanting in *physique*, and, further, that they do not grow. This I attribute to having in childhood been exposed to much privation, from which cause their system has received a shock which they rarely get over. Lastly, I beg to observe that we experience no difficulty in recruiting boys from the inland counties, from which we obtain a supply of fine, healthy, and strong country agriculturists; they soon become attached to the service, while the town boys, and especially those from London, are most restless, and endeavour to return to their old haunts."

I can corroborate this statement from a personal inspection of the two training ships at Devonport in September last. We were much struck with the great superiority of the boys on board the *Impregnable* over those on board the *Implacable*—the other ship, and we ascertained that the cause of this difference was that the boys in one case came from the neighbouring counties, while in the other case they were received from the large towns of Plymouth, Stoke, and Devonport, and the immediate neighbourhood. I can, however, assure my hon. Friend that, although we prefer boys from the agricultural districts, those to whom his Question refers were not rejected because they came from the *Chichester*, but simply because they could not comply with the rules of the service by producing a certificate of birth and procuring the consent of their parents. Six, I think, were received because they were able to comply with these requisitions; and, under all the circumstances of the case, although my sympathies would be entirely in favour of these poor boys, I do not think it would be consistent with my duty to recommend a relaxation of the existing rules.

CHURCH RATES.—QUESTION.

Mr. GILPIN (on behalf of Mr. Hadfield) begged to ask, Whether the Government intend to introduce a measure this Session for the abolition of Church Rates?

Mr. GATHORNE HARDY: The Government have no such intention.

ORDER OF BUSINESS.

STATEMENT.

Lord STANLEY said, that there were upon the Paper three Orders of the Day none of which were likely to lead to protracted discussion. Two of these Orders were the Income Tax Bill and the Consolidated Fund Bill, both of which, having gone through all former stages, now stood for third reading. There was no reason to suppose that there would be any long discussion with regard to these Bills. The third Order of the Day was the Totnes, &c. Writs Bill, the object of which was to correct a slight oversight in the Reform Act of last Session, and he did not apprehend that any difficulty would be raised with reference to it. Under these circumstances, it would be a considerable convenience to the other House of Parliament if these Orders should be taken first and the Bills sent up without delay. He did not apprehend that those Gentlemen who had Notices on the Paper would be very much delayed, and he would therefore suggest that the Orders of the Day take precedence of Notices of Motion.

Motion made, and *agreed to.*

INCOME TAX BILL—[Bill 16.]

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Hunt.*)

THIRD READING.

Order for Third Reading read.

Mr. SCHREIBER rose to enter a protest against the mode in which it was proposed to make provision for the Abyssinian Expedition. It appeared from the statements made to the House that the force could not be thrown on the shore of Abyssinia for less than £2,000,000, and that if the Expedition went on until the end of March it would entail an additional cost of £2,000,000; so that at the end of the current financial year it was almost certain that we should be in debt for this expenditure to the extent of £2,500,000. He agreed with the right hon. Member for South Lancashire that of all financial errors none was so seductive, so plausible, and therefore so dangerous, as that of postponing the provision for such undertakings as this.

Mr. KINNAIRD said, he understood that in some instances the Income Tax collectors were proceeding to levy the tax before the Bill on the subject had passed. He wanted to know whether persons could be called upon to pay merely upon a Resolution of the House.

Mr. HUNT said, he had no official information on the subject; but he understood from some hon. Members that what the hon. Gentleman complained of had been done. He believed it was usual when a Resolution proposing a tax was passed for the officers to act upon it, and that it would be the more convenient course for the taxpayers themselves; but in case the Bill did not pass, the money so levied would have to be returned.

Bill read the third time, and *passed.*

TOTNES, &c. WRITS BILL—[Bill 20.]

(*Mr. Attorney General, Mr. Solicitor General.*)

SECOND READING. THIRD READING.

The SOLICITOR GENERAL, in moving that the Bill be now read the second time, said, he intended to ask the House to permit the measure to be passed through its remaining stages this evening, otherwise it would be impossible that it should become law before the Recess.

Mr. WALDEGRAVE-LESLIE said, the Bill had not as yet been circulated.

The SOLICITOR GENERAL said, its object was well known. It was merely to correct an oversight. There could be no difficulty, therefore, about the matter.

Bill read a second time, and *committed; considered* in Committee, and *reported* without Amendment.

On Motion, That the Bill be now read a third time,

Mr. DARBY GRIFFITH asked, whether in a case where it was intended to put a Bill in one night through all its stages, it would not be proper to put a Notice on the Paper that such a course would be proposed? He thought the present mode of proceeding rather objectionable.

Lord STANLEY said, he agreed in principle with the hon. Member; but he believed it was not usual to make a proposal for carrying a Bill through all its stages until its principle had received the assent of the House by being read a second time. He would not have recommended the present course if it were not that the Bill was simply intended to correct an accidental omission in the Representation of the People Act.

Mr. OTWAY said, that while satisfied with the removal of the anomaly which he had pointed out, and that the voters who had been guilty of corrupt practices in the four disfranchised boroughs had been properly and severely punished, he believed the country would never be convinced of the sincerity of Parliament in dealing with electoral corruption until the bribers were visited with the same punishment as the bribed. He regretted that the Government had not disfranchised the former as well as the latter, and especially a candidate at Lancaster, who had had former experience of election contests.

Bill read the third time, and *passed.*

Moved, "That the House, at its rising, do adjourn till *Thursday.*"

ROMAN CATHOLIC PRISONERS.

OBSERVATIONS.

Mr. MAGUIRE called the attention of the Secretary of State for the Home Department to a certain statement made in *The Pall Mall Gazette,* of the 19th November, with reference to the religious instruction of Roman Catholic prisoners in Tothill Fields House of Correction. There were, he said, 600 inmates in that prison; 400 of them were Protestants, and enjoyed the ministrations of a chaplain, with a salary of £400 a year, who had several teachers under him. The remaining 200 were Roman Catholics; but notwithstanding the Act which was passed two years ago, the Roman Catholic clergyman who offered his gratuitous ministrations to them was only allowed to see his unhappy flock one at a time, and then through the trap-door of the cell. He could therefore only visit each prisoner once in four or five weeks, and could not collect them for worship or instruction. Another clergyman of distinguished birth and attainments, who also volunteered his services, had to communicate with the prisoners in one of the cells, and his health had broken down under the severity of his treatment and the zeal which he displayed. It was true that a room was now allowed. The bigotry of these wretched justices ill contrasted with the conduct pursued at the Cork Workhouse, where the 200 Protestant inmates were allowed by the Roman Catholic Guardians a church and chaplain, and where a Presbyterian minister had been appointed to visit the few prisoners of his persuasion, and was permitted, on the Anglican clergyman refusing the use of his church, to use the board-room for religious services. Such an arrangement commended itself to the mind of every honourable man, and if religion exercised any influence it was essential that the pauper or prisoner should have the ministrations of a clergyman of his own denomination. He understood that at Tothill Fields Prison many of the Roman Catholic prisoners, in order to break the monotony of their condition, were induced to attend Protestant worship on Sundays. He thought it not right that these poor Roman Catholics should be subjected to this kind of oppression. The Directors of Government Convict Prisons, in their Report for 1865, stated that unmixed good had arisen from the appointment of Roman Catholic chaplains, it having been attended with a great improvement in the conduct of the convicts; but at Tothill Fields the bigotry of the justices interposed between the prisoners and reformation, the inmates going out worse than they came in; and being convicted over and over again, injury thereby accruing to society and expense to the ratepayers. If the Middlesex justices, from any private motives, continued to oppress the poor Roman Catholics, he trusted the Secretary for the Home Department would address to them a remonstrance; and if they did not attend to that, then that the Government would have the courage to introduce a Bill dealing with county prisons in the same manner as Government prisons. He would now ask the Home Secretary to express his feelings upon the matter, which he believed was a violation of the spirit of our legislation.

Mr. MELLER, as one of the Middlesex magistrates, said, he believed that Tothill Fields was under a separate Commission. If the hon. Gentleman were correct in stating that the chapel was not adapted for the performance of the service of the Roman Catholic Church—[Mr. Maguire: There is no chapel at all]—he had no doubt that proper accommodation would be provided by the magistrates.

Mr. GATHORNE HARDY said, that the subject of the Prison Discipline Act was taken into consideration some years ago, and the House thought proper to pass a permissive Bill, saving themselves the trouble of coming to a decision, and introducing a most unfortunate subject of debate at quarter sessions, which ought, in his opinion, to have been determined one way or the other by that House. The hon.

Member (Mr. Maguire) had asked him to address a remonstrance to the visiting justices of Tothill Fields Prison. He could not admit that it was the duty of the Secretary of State to address a remonstrance when he had no authority to enforce it, because such a course only led to replies which were very inconvenient, and which did not add to the dignity of either party. The view he had always taken of this subject was that prisoners of every creed ought to have facilities for the exercise of their religion. Many of the prisoners might be very hardened; but if ever there was a time when they were open to religious impressions, it was when they were confined in solitude and brought into close intercourse with those who had their religious improvement at heart. He did not know that he could say any more. He could not address the magistrates—and, indeed, he did not know the particulars except from the paper which the hon. Gentleman had shown him. Assuming, however, that the facts were as stated by the hon. Gentleman, he thought—although he had not been able to ascertain what the practice was—that the visiting justices were not carrying out the intentions of the Legislature.

MR. NEWDEGATE said, he was a magistrate of Middlesex, and he was quite sure that the magistrates had shown every anxiety to meet the just claims of the Roman Catholic prisoners. They would, however, strictly adhere to the principle they had laid down, and they would not, under pretence of granting a privilege, subject any prisoner to coercion.

SIR GEORGE BOWYER said, he could not understand the language of the hon. Gentleman, because a man in prison must naturally be subjected to coercion. One of the prison regulations—made for the benefit of the prisoner as well as for the benefit of society—was that no prisoner should be allowed to refuse religious instruction, and it was surely not too much to require that where a prisoner was not a member of the Church of England he should see some minister of his own religion. When the Prison Discipline Act passed, it was understood that the magistrates would fairly carry out the intentions of the Legislature; but, unfortunately, in many cases the magistrates had done all they could to defeat those intentions. It was all very well to try a permissive Bill in the first instance; but when that failed, it was time to make it compulsory. He trusted that the Government would take into consideration the necessity of introducing a Bill next Session which would enforce an equal rule with regard to all prisons, and not leave to the magistrates the power of defeating the wise and benevolent intentions of the Legislature.

MR. GATHORNE HARDY said, that since he sat down, the rules of the Coldbath Fields Prison had been sent to him. He found that up to the month of May an impression was entertained by the Middlesex magistrates that they had no authority to allow a religious service to be conducted in the prison according to the rites of the Roman Catholic Church. Upon that point they had taken the opinion of the late Attorney General (Sir John Rolt), and of the present Attorney General, on which they rescinded their resolution. The opinion stated that the Act did not make it incumbent on the visiting justices to allow such an assembling of prisoners for religious worship; but that in permitting such assemblages the visiting justices would be acting not only according to the letter but the spirit of the Prison Discipline Act, care being taken to maintain the discipline of the gaol. Under these circumstances, the visiting justices recommended that their resolution of the previous May, stating that there was no authority for such services, be rescinded by the Court.

ABYSSINIAN EXPEDITION—MR. LAYARD, MR. RASSAM, AND DR. BEKE—THE RECENT DEBATE.

EXPLANATION.

MR. DARBY GRIFFITH said, he wished to give notice that on a suitable occasion at the next meeting of the House he would give the hon. Member for Southwark (Mr. Layard) an opportunity of making an explanation to the House in reference to the matter which had been brought forward by the hon. Member for North Warwickshire (Mr. Newdegate). He questioned whether a Member of Parliament was morally justified in making strong statements in the House, and then absenting himself afterwards from the House during the period when the House was sitting, and when he might be reasonably challenged to give an explanation. He did not think that was in accordance with the rules of this House, because it put hon. Gentlemen to a disadvantage; and he did not consider that the publication of a letter in the newspapers was sufficient to meet the case, because it was in that House that the rectification should be made, and a letter published in the newspapers was not the same thing as a speech made in that House. He raised a *quasi* point of Order the other day, which he believed was not altogether as unfounded as at first sight appeared. There was some hesitation as to whether some strong language applied by a Member of this House to a person not a Member of this House could be taken down. He supposed he was correctly informed that it could not be taken down according to the rules of the House; but it might be a question whether circumstances had not greatly changed since those rules were made. Those rules were intended to preserve peace between Members, when the object in view was to prevent their coming into actual conflict with each other. At that time the House sat with closed doors, and whatever was said merely concerned those Gentlemen who were present, and those gentlemen who were out of doors were not affected by it. That rule, then, was sufficient for the purpose in those days. But now that the debates were published and known all over the world, it became a question, which the right hon. Gentleman in the Chair might usefully consider, whether there should not be some check on the language of Gentlemen speaking in this House, and seriously affecting, in a manner in which the publication of no other libel could do it, the character of those outside the House, and who were now perfectly helpless under such circumstances, and incapable of obtaining any redress.

Motion *agreed to.*

House, at its rising, to adjourn till *Thursday.*

REMISSION OF SENTENCES.

MOTION FOR AN ADDRESS.

MR. NEWDEGATE, in moving an Address for Returns for Copies of Memorials for the Commutation or Remission of Sentences of Death or to Penal Servitude, addressed to the Secretary for the Home Department, and of the Replies to such Memorials, as also of the Correspondence relating thereto, said: Sir, I need all the indulgence which the House may think fit to extend to me in bringing under its notice a subject which has occupied the grave attention of the Commissioners on Capital Punishment; a subject which also fills with apprehension those whom I represent in this House, as expressed in a petition that I presented to the House from Birmingham a day or two before the 13th of August, which referred to the reprieve of the convict Scott. The reprieve of this convict produced a very deep impression in the Midland Counties. It raised a spirit of inquiry as to the terms upon which the sentence pronounced by the Judges had been practically defeated. It is reported to me that the feeling prevails to a wide extent that punishment by law is uncertain; that punishment by imprisonment has lost a great part of its deterrent effect; and subsequent inquiries have convinced me that the representations made upon this subject by the Commission on Capital Punishment are well-founded. With the permission of the House, then, I will read the concluding portion of the Report of the Commissioners. On the 13th of August last, in speaking upon a Motion which I then made at the instance of 3,000 of the most respectable inhabitants of Birmingham, among whom were ten magistrates, including the stipendiary magistrate, by whom the convict Scott was originally committed, I ventured to call the attention of the House to the last paragraphs in the Report of the Commissioners who sat in the year 1866. I then expressed a doubt whether these passages did not tend to aggravate the evil which already existed—namely, the feeling that punishment was uncertain; that when Her Majesty's Judges had fully heard the trial of a case, after the jury had pronounced a verdict of guilty, that after sentence had been pronounced, without any intimation that it was likely to be mitigated, or that the mercy or pardon of the Crown were likely to be extended to the prisoner, all knew that these sentences were never likely to be carried out; that punishment in the case of those who were sentenced to penal servitude was utterly uncertain; that men sentenced to long periods of penal servitude were virtually liberated at the expiration of seven or four years, while those who were sentenced to minor periods of punishment were liberated, God knows how soon. I was not then aware of the extent to which the public mind had been unsettled. Now, this is the conclusion of the Report of the Commissioners on Capital Punishment:—

"Upon another important point there is also a great preponderance of opinion against the present state of the law. The witnesses whom we have examined are, with very few exceptions, in favour of the abolition of the present system of public executions, and it seems impossible to resist such a weight of authority. We therefore recommend that an Act be passed putting an end to public executions, and directing that sentences of death shall be carried out within the precincts of the prison, under such regulations as may be considered necessary to prevent abuse, and satisfy the public that the law has been complied with."

I venture very clearly to dissent from this; but I have thought it necessary to read it to the House in order to introduce the paragraph which follows, and because I wish to distinguish my Motion as not being directed solely to the subject of capital punishment, but as bearing with even greater force upon the system of secondary punishment adopted by law in this country. The Commissioners say—

> "There are other questions of great importance upon which we have taken evidence — namely, 1. The propriety of allowing an appeal on matters of fact to a Court of Law in criminal cases. 2. The mode in which the Crown is advised to exercise the prerogative of mercy by the Home Secretary. 3. The present state of the law as to the nature and degree of insanity, which is held to relieve the accused from penal responsibility in criminal cases. It is obvious that these difficult cases are not confined to capital crimes only, but pervade the whole administration of the criminal law. They therefore require a more general and comprehensive treatment than the terms of the commission under which we act will admit. We think, therefore, that while we should not be justified in making any recommendation to Your Majesty on any of these points, we should fail in our duty did we not humbly solicit Your Majesty's attention to them as requiring further investigation."

There could, Sir, scarcely be a stronger opinion expressed than this, enunciated at the conclusion of their Report by the Commissioners on Capital Punishment. I will now proceed to point out the terms of my Motion, in order to guard myself against the imputation of presumptuously or hastily suggesting a change in the criminal law of this country. I beg to call the attention of hon. Members to the terms of the Motion, because I have endeavoured in those terms to express the exact intention with which I submit the Motion to the House. What I desire to move, then, is—

> "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of all Petitions or Memorials and of all Communications praying for or recommending the suspension, commutation, or remission of sentences of death or of penal servitude, received by the Secretary of State for the Home Department, or at the Home Office, during the six months ending on the 30th day of November and on the 30th day of June of each year, together with Copies of the Signatures attached to such Documents and of the Replies thereto, except Communications between the Secretary of State and the Judges, be presented to Parliament on each of the aforesaid days of each year if Parliament be then sitting; or if Parliament be not sitting, then on the first subsequent day on which Parliament may sit, or on the fifth day of the first Session of a new Parliament."

What I ask of the House therefore is this:—to obtain information with regard to the operation of the criminal law, as it is practically put into execution, apart from the sentences pronounced by the Judges. I do not propose that Parliament should interfere in any particular case. No one would be more averse than I should be to the idea of Parliament trespassing upon the province of the Executive, or of Parliament endeavouring to intercept the exercise of the discretion which it has vested in the Executive. But what I desire is this:—that Parliament, which is supreme in its power of altering the law; that Parliament, acting with the consent of the Sovereign, should seek information for its guidance in the exercise of its supremacy in sanctioning, in the maintenance of, in making, and in altering of the law, and thus should secure to itself such a record of the real execution of the laws, of the actual operation of the law upon the people of this country—whether upon criminals or in respect of the peaceful citizen—as shall enable us to judge with what success we have sanctioned, made, or altered the criminal law; and thus ascertain in what direction Parliament may best proceed in reforming the penal jurisdiction of the country. I propose no change in the law; but I ask Parliament, which is responsible to the country for the state of the law, to obtain periodically such information as alone can enable it to judge of the actual operation of the law upon the criminal classes of the country in furtherance of that great object, securing to the peaceful citizen, securing to the owners of property, securing to the fathers of families, securing to every individual safety for property, safety for the person, security against outrage and violence. I think I can show the House that the information which I seek to obtain is not only consistent with, but is absolutely necessary to, the due performance of the functions of Parliament. Let us for a moment glance back to the changes that we have made, during the last twenty years, in the whole criminal jurisprudence of the country, in the administration of our penal laws. We have practically abolished transportation; we have adopted a totally novel system of prison discipline; we have aimed at the reformation of prisoners until we have deprived the law of that deterrent effect, which is valuable if there is any truth in the maxim, that "prevention is better than cure." Throughout the whole of our penal system, from the Government prisons, through the county prisons and the borough prisons, we have established the reformatory principle; but we have neglected the established and ordinary principle of repression; we have established reformatories so called, which are a kind of subsidiary prison for carrying out the Reformatory principle. It is a principle which has at all times been recognised in our penal legislation, but we have made it so predominant that we have come to this point:—We have so extended the Prerogative of the Crown as to make the exercise of it not exceptional, but regular. We have produced this state of things:—we have told every one who is guilty of crime —"You shall not be punished according to the sentence pronounced upon you in the court in which you have been publicly tried, but you shall be punished according to the discretion which we have vested in the Home Minister, as the representative of the Crown." And what has been the effect of this course? It was but the other day that we saw the Home Office— to use an expression contained in the written evidence of the late learned Recorder of Birmingham—literally the Home Office positively besieged. We have seen a deputation take possession of the Home Office, and in that Office they used expressions which, only a few years ago, would have been held to be seditious, if not treasonable, and certainly criminal. What further have we seen? We have seen a deputation go down to Windsor and attempt to supersede the Executive Government by thrusting themselves between Her Majesty's person and her responsible Ministers. Are not these grave symptoms? And do not such facts as these furnish evidence in support of the allegations of the Commissioners on Capital Punishment, and of the feeling which I represent as prevailing in the Midland Counties, that the uncertainty of punishment, the uncertainty of our criminal law, is such as to undermine the confidence of the country? Well, Sir, I think no one who is cognizant of this state of things can doubt that it is the effect of the changes that have been made in the law of late years, with a view to the reformation of prisoners. Is it not clear and evident to us, and to Parliament generally—to us who are responsible for the state of the law— that we have proceeded to such an extent in the Reformatory system, in granting discretionary power to the Executive, that it has become absolutely necessary that this House should obtain information periodically, which will enable us to judge how successive Ministers of the Home Department have acted in the discharge of the grave responsibility imposed upon them by virtue of the discretionary powers with which we have invested them as the representatives of the Prerogative of the Crown? and this, Sir, is my excuse for undertaking so grave a subject. If no Motion is made in this House, if no independent Member of the House takes up this question, any Government would be beset with great difficulty in attempting to deal with it. The ex-Government would immediately say, "You desire to reflect upon our conduct." Yet, this is no party question. If I have confidence in any of the Ministers who now sit on the Treasury Bench I have confidence in the present Home Secretary, and it is because I have confidence in him, that I feel now is the time that I may ask Parliament to obtain, if possible, this information; because in doing so I cannot be suspected of any minor or party purpose. I have spoken of the great changes which we have made in the criminal law by the abolition of transportation and the alteration of the whole system of prison discipline, but we have done still more. Not content with investing the Home Secretary with an increased discretionary power, as the virtual administrator of the Prerogative of the Crown in dealing with sentences to penal servitude, but by the Summary Jurisdiction Act, we have vastly increased the discretionary power of the minor and subordinate administrators of justice. There has, however, been a recoil. Outrages were committed in the streets; Parliament took fright and recognised the fact that the punishment of imprisonment has lost its terrors. And what is the result? A result which I deprecate. We turned suddenly round and pursued a reactionary course by resorting to the infliction of corporal punishment. Parliament rushed back into barbarism. The fact that Parliament has been compelled by outrages committed in our streets to turn back in its course of leniency and restore corporal punishment, is a proof in itself that we ought to re-consider the policy which we have adopted, and satisfy ourselves whether it is altogether safe. The result has been that the certainty as to the duration of imprisonment, the chief deterrent element of that punishment for the prevention of crime, is impaired; that prevention, which is so much better than cure, the cure represented by the Reformatory system—a system which confers its benefits only on the individual prisoner, and even of this object, though carried out at such an enormous expense, is not always successful. The system fails, I am afraid, too often, even in this success. In this House, and in addressing my fellow-Members, I feel sure that they will not be offended at my appealing to a great principle—to first principles, which of late years have been too much forgotten. It happens that a friend of mine has put into my hands a work which has had far too small a circulation among those who, like ourselves, are bound to seek every means of information, in order to the due performance of the high duties which devolve upon us. It is a work on *Civil Liberty and Self-Government*, written by Dr. Francis Lieber, a distinguished American Jurist, and one of the most trusted and accomplished instructors in the United States. I quote from a document which he has appended to this most valuable work. I have not had time to take more than a hasty glance at this work generally; still, I am confident that every hon. Member who values the Constitution of this country, and desires to understand it and make it his guide, would do well to peruse the work to which I refer. I quote a paper appended to this work; it treats of the abuse of the pardoning power. Dr. Lieber writes p. 390)—

> "This paper was originally a report. I had been appointed by a meeting of the Friends of Prison Discipline, without being present, the chairman of the committee, which was requested to report to the next meeting on 'the pardoning privilege and its abuse.' The following was the result of this appointment:—The Legislature of the State of New York did me the honour of publishing it as a document; but that was so incorrectly done, the subject is of such vital importance to the people, who desire to live under the supremacy of the law, and the abuse continues in many parts of our country to so alarming an extent, that I do not hesitate here to produce the paper."

Therefore, this document having been first tendered to the Legislature of Massachusetts, was thought so valuable that the Legislature of New York reprinted it. The passage to which I refer the House is this (appendix, pp. 392-3)—

> "Although the pardoning power has always existed, and has been abandoned by ultra-despotism for the sake of despotism itself, yet the abuse to which it easily leads, and the apparent incongruity which it involves, have induced many men of deep reflection, in ancient as well as modern times, to raise their voices against it, of whom we mention Plato and Cicero (*Cicero in Verrem*) among the ancients, and Pastoret (*des Lois Penales*), Servin, Filangieri, and the benevolent Beccaria among the moderns."

The latter, the pioneer of penal reform, and one of the benefactors of mankind, has the following remarkable passage—and to this I beg the particular attention of the House, because there is an exactitude, a truth, and a force in the mode of expression that I could not pretend to imitate:—

> "As punishment becomes more mild, clemency and pardon are less necessary. Happy the nation in which they will be considered as dangerous. Clemency, which has often been deemed a sufficient substitute for every other virtue in Sovereigns, should be excluded in a perfect legislation, where punishments are mild and the proceedings in criminal cases regular and expeditious. This truth may seem cruel to those who live in countries where, from the absurdity of the laws and the severity of punishment, pardons and the clemency of the Prince are necessary. It is, indeed, one of the noblest Prerogatives of the Throne; but, at the same time, a tacit disapprobation of the laws. Clemency is a virtue which belongs to the legislator, and not to the executor of laws; a virtue which ought to shine in the code and not in private judgment. To show mankind that crimes are sometimes pardoned, and that punishment is not a necessary consequence, is to nourish the flattering hope of impunity, and is the cause of their considering every punishment inflicted as an act of injustice and oppression."

My object is not to increase the severity of the laws, but to enable Parliament to proceed by legislation in the direction of clemency. The passage then proceeds—

> "The Prince, in pardoning, gives up the public security in favour of an individual, and by ill-judged benevolence proclaims a public act of impunity. Let, then, the legislation be tender, indulgent, and humane."

Now Lieber qualifies his use of this quotation on account of the inevitable imperfection of all human legislation and the equally inevitable failure in the symbolical power of language. I admit the necessity for qualification; but Beccaria admirably states a principle which Parliament seems to have forgotten. Is it not evident from the language of the Fenians and their friends? Is it not evident, I am sorry to say, from the articles which have appeared in some Irish newspapers, that the infliction of punishment even in the case of deliberate murder is not considered by them to be the due vindication of the law, made by the representatives of the people, but that it is simply an act of revenge on the part of the Executive. A recent article in *The Times* comments most ably and rightly upon those articles in the Irish papers, the whole purport of which was that the executions which lately took place at Manchester were an act not of justice but of revenge—the vindictive act of an enemy who sacrificed his adversary, not the execution of a just law, the only object of which is to secure the freedom and the safety of peaceful citizens, to preserve in peace the community and the State. Sir, the time has arrived when Parliament ought to arm itself with information to which we may be able to refer when we consider the present state of the law, and direct our efforts to recovering the confidence which, as one of the representatives of the Midland Counties, I affirm has been, to a great extent, lost, in consequence of the present state of the criminal law and the uncertainty of its execution. When I point to the Home Office, I do so in no spirit of hostility towards the Minister; but I do this on no light grounds. I have the support of some of our most distinguished Judges. If any man is competent to form an opinion of the effect of the penal code, surely it must be a Judge; but I have selected the evidence of only one of the Judges, who gave evidence before the Commissioners on Capital Punishment, because that opinion happens to be expressed with peculiar distinctness. Before the Commission on Capital Punishment Baron Bramwell gave the following evidence. He was asked by the Attorney General for Ireland, Question 228—

> "Have you considered the question at all, whether in criminal cases there should be a new trial allowed to the prisoner under any circumstances?"

His answer is—

> "I have."

Then he is asked—

> "What is your opinion upon that subject?"

And he says—

> "Again I speak with great embarrassment, because I am afraid that I shall detain the Commission some time to explain myself. So long as the Queen has the Prerogative of pardon, which one would be very sorry to see taken away from Her, there always will be a Court of Appeal, because She may be asked to pardon as a matter of grace, and She may be asked to pardon on the score of mistake. You cannot take away from Her that jurisdiction, which one never wishes to see taken away. One cannot help feeling that the Court of Appeal as at present constituted, except that it has one of the best Judges which such a court can possibly have, yet it is the worst court which can possibly exist, because it is not a public court—I mean the Secretary of State for the Home Department—and except that the Secretary of State is always so fit a man, and is always so ably advised, I say unfeignedly that it is the worst court which there can possibly be. It is no court at all in reality, but practically it is a tribunal of appeal—it is private, it proceeds upon written statements and upon *ex parte* statements, it does not hear the other side, and therefore no doubt there is very great difficulty in saying that it is a satisfactory tribunal to which to appeal from the judgment of a jury, and yet you cannot get rid of it. On the other hand, you cannot have a Court of Appeal without augmenting that uncertainty which it is so desirable to diminish, and without giving more chances and more hopes; and you cannot have it without doing what it is also most desirable to avoid—namely, worrying prosecutors. At present people are very reluctant to prosecute, and I suppose that a very great number of offences go unprosecuted, and there are continued applications made to magistrates to dispose of the case summarily; but, nevertheless, a certain amount of that business comes before the ordinary tribunals where cases are tried by jury. But if you had a Court of Appeal you must properly have the prosecutor, or somebody representing the prosecutor, to take part in the transaction. The reluctance of prosecutors would therefore really be greater than it is now, and I think that that is very much to be deprecated. If such a thing existed, it could not exist except upon the terms of some public prosecutor taking the matter entirely out of the hands of the private prosecutor, who would be likely to be tampered with, and who would otherwise be reluctant to interfere in the matter. In addition to that there would be a great deal of trouble and expense; and I cannot help thinking for my own part, that inasmuch as a Court of Appeal is not what we may call a natural thing, that is to say, is not a thing of necessary existence, there is no more reason why there should be an appeal to one court above than to another court above it, and so on; and inasmuch as people in England are never convicted except in my judgment on the very clearest evidence, I cannot help thinking, that any advantage to be gained from the establishment of a Court of Appeal, although theoretically more perfect than the one which now exists, would not compensate for the disadvantages which would be attendant upon it."

The House will forgive me for reading this long quotation; but I did not think it fair to stop short of the end of the section in quoting the opinion of the learned Judge. Now I do not advocate the establishment of a final Court of Appeal in criminal cases, though it may be that the production of the information, for which I would have the House ask Her Majesty, might lead to the erection of such a court; but as at present advised, I do not seek a final Court of Appeal in criminal cases. Yet I think I may invite those who are adverse to the continuance of capital punishment, and those who desire the appointment of a final Court of Appeal in criminal cases, to give their support in requesting that we may have information placed at our disposal whereby we may be enabled to judge whether a final Court of Appeal in criminal cases is necessary or not. And I would point out this, moreover to those who, actuated by humane motives, seek the abolition of capital punishment — that if our secondary punishments remain uncertain; if they are, as I have shown they are, losing their deterrent effect, then all their hope of obtaining the abolition of capital punishment must be vain, perfectly vain; because at present capital punishment is the only punishment which is certain in its effect, which removes the eventual execution of the sentences from uncertainty. We have abolished transportation. All our convicts are now detained in this country. They can constantly, or rather, periodically communicate with their friends; and the consequence is, as I have been informed on excellent authority, that the Home Office is literally besieged, not only on particular occasions, such as the execution at Manchester, to which I have referred; but that habitually there is such a constant stream of applications for the commutation or remission of punishment, as requires the exercise of such an amount of exact information as to the mental, the physical, and even the moral condition of particular prisoners, and of firmness, as it is almost unreasonable to expect from any man, however trained, and however powerful may be the intellect he possesses. I can speak upon this subject from my own personal experience. As a Member of this House, I have been urged in the most stringent manner to apply for commutations of sentences. I have been literally threatened with the loss of my seat in this House, unless I yielded to what I was told—and let hon. Members observe this, that it is a common practice on the part of Members of this House; not the practice, which I have always pursued, of showing readiness, as a representative of the district in which the conviction has taken place, to press upon the Home Office the consideration of any new facts that may have come to light after the trial; but a practice of seeking, as a matter of favour to the relatives, to the friends, aye, to the patrons of the person convicted, a remission of punishment; a remission, mark you, based neither upon new facts discovered since the trial, nor upon the merits of the case, nor upon any real evidence of the reformation of the prisoner. That is what I have been told. These threats and solicitations had no effect upon me, except this, that I determined to appeal to this House on the ground that such reports, whether well or ill-founded, are current with respect to the conduct of its Members. This circumstance not less than any other has prompted my proposal that this House, as one of the constituent elements of the Imperial Parliament, should address Her Majesty, praying that she will direct that periodically there be laid before us information, which will enable us collectively to judge how far individual Members of this House are really amenable to the grave imputation of yielding to solicitations such as I have had to repudiate. It is our duty as Members of this House, wherever the conduct of the Government directly affects our constituents, to intervene individually; but there is no power that can regulate the conduct of the Members of this House, except that of the House itself; and if the House knows not what is the conduct of its Members in this respect, may we not fear that some of us do lapse into the vice of individually contributing to that uncertainty of punishment which is fraught with so much mischief? These sentences, pronounced by the Judges, vary from one to ten years' imprisonment, and even for life; the Judge pronounces the sentence, and not a soul believes that it will be carried out as he declares, for all know that, by the law, Parliament has granted a discretion to the Executive Government with the express intention that the sentences pronounced by the Judges should not be carried out. I respect the Prerogative of the Crown as much as any one, though I think that Parliament has unduly extended it. I have no desire to invade that Prerogative, when confined to its former limits; but I have never yet heard or understood that secret action was among the Prerogatives of the Crown. I have always understood that the intention of the Constitution in making the Ministers responsible (and they became doubly so under the settlement arrived at by the Revolution) was, that the Prerogative of the Crown, and every act of the Sovereign in his official capacity, which might affect the subject, should be made public, as that of his responsible advisers, for the information and comment of Parliament. But here, on the authority of Mr. Baron Bramwell, we have, under cover of an extended prerogative, a tribunal—practically, a secret tribunal—a tribunal which by law habitually supersedes the sentences publicly pronounced by the Judges in the courts of this country. I repeat that I am not desirous of invading the legitimate Prerogative of the Crown, the prerogative of mercy or of pardon, nor do I desire that the exercise of the Prerogative in any particular case should be thrust on this House for its immediate comment, so that the action of the prerogative should be intercepted; but that which I desire and propose is, that periodically—and I hope the House will sanction my object—that periodically, information with respect to the general practice of the Home Office in the exercise of the Prerogative, extended, as I have shown, should be placed at the command of Parliament. I know it has been said, "Oh! but think of the expense in printing which you will entail upon the country." Sir, the accomplishment of such an object as I have in view would, in my opinion, be well worth that expense. But I do not desire that all these documents should be printed. Many important documents are now furnished for the use of Parliament which neither House prints. There they are, however, in the Library, accessible to the Members of either House, any one of whom may move that the whole or part of any of these documents be printed, but he must obtain the consent of the House. If the improved action of the criminal jurisprudence of this country, if the improvement of the administration of the law is an object worthy the consideration of Parliament, surely it is worth the small wages of a few copyists, which is all that would generally be required, in order to furnish us with information, without which I very respectfully say to this House we are not justified in proceeding to make any fundamental alterations of the law in matters that affect the personal freedom, the property, and the security for the lives of our fellow-countrymen. I thank the House most sincerely for the kindness with which it has allowed me to trespass so long upon their attention. I feel that we are not returned to this House for the gratification of personal ambition, or merely to attend to the details of minor matters—such as Railway Bills, Dock Bills, and Turnpike Bills. If there is any meaning in the Constitution of the country; if there is any value in the freedom which we enjoy; if there is anything in the principle of self-government, which Dr. Lieber says is a special property of the Anglo-Saxon tribe, whether in England, in the United States, or in the colonies—and I use the word "property" advisedly—the property of the Anglo-Saxon race, because it is the capacity of the race for self-government, which has enabled us to secure that blessing—if, I say, there is any value in the principle of self-government, then it is the duty of both Houses of Parliament, in a matter which so seriously affects that principle, humbly to address Her Majesty in pursuit of information that will enable us to judge of the operation of the laws that we have passed, and how best we may amend them. The hon. Member concluded by moving an Address.

MR. NEATE seconded the Motion.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of all Petitions or Memorials and of all Communications praying for or recommending the suspension, commutation, or remission of sentences of death or of penal servitude, received by the Secretary of State for the Home Department, or at the Home Office, during the six months ending on the 30th day of November and on the 30th day of June of each year, together with Copies of the Signatures attached to such Documents and of the Replies thereto, except Communications between the Secretary of State and the Judges, be presented to Parliament on each of the aforesaid days of each year if Parliament be then sitting; or if Parliament be not sitting, then on the first subsequent day on which Parliament may sit, or on the fifth day of the first Session of a new Parliament."—(*Mr. Newdegate.*)

MR. GATHORNE HARDY: Sir, I should be the last person in this House to take exception to any increase of expenditure or the increase of the staff of any office in connection with the Government if I were thoroughly convinced that the information sought by the hon. Member for North Warwickshire were really information that was valuable and worth the expenditure which the procuring of it must cost, or even if I were persuaded that it was information that ought to be laid before the House. I have, however, come to the conclusion that the information now asked by my hon. Friend would not be of the slightest value, so far as advancing the purposes which he has in view is concerned; but would, on the contrary, often mislead those who read it, and cause them to form totally opposite conclusions to those arrived at by those who were in possession of all the information upon all sides of the question. I shall only refer for a moment to the subject which has been the cause of my hon. Friend bringing forward this Motion—that of the remission of a sentence in the case of a man who was convicted of murder at Birmingham. I have already explained to the House the grounds upon which that remission took place. Whether it was right or wrong, it was at least in conformity with the precedent of a great number of years—a precedent which I did not feel myself in that instance called upon to break through. My hon. Friend, as I understand him, says that the object of his Motion is to form a basis of legislation for the administration of the criminal law. Now, the information asked for has, in the main, nothing whatever to do with the administration of the criminal law, as law. It will affect rather the administration of the Prerogative of mercy invested in the Crown. It is information sought for in order to enable those who are responsible to the Crown to arrive at satisfactory conclusions. But there is left out of this Motion — naturally because it would be most improper to produce it—all mention of the important evidence which comes before the Home Secretary, and which enables him to come to and justifies him in his conclusions—there is no mention made of the Judge's notes, the depositions, and the other weighty documents which I, in my official capacity, have always before me in dealing with cases brought under my notice. My hon. Friend says that Members of Parliament often take an active part in procuring remissions of sentences. Now I frankly own that I object extremely to personal communications on such a subject. I think it is far better that all communications on such matters should be made in writing to the Home Secretary, in order that he may have the opportunity of calmly sifting the facts for himself, or of placing documents in the hands of those who are capable of assisting him to form his judgment. If the Home Secretary is to listen to personal arguments, to pick up one person's story here and another's there, he will be led into difficulties, and the probability is that in the end he may be led into quite erroneous conclusions. For these reasons alone I think it is preferable that every representation to be urged upon the Home Office should be committed to writing. The Motion that has just been moved does not refer to cases of ordinary imprisonment. My hon. Friend alludes only to cases of penal servitude and capital punishment. Now I contend that if the information sought for is valuable in respect to the two first classes of cases, it is equally so with regard to the other class. I do not think that hon. Members have the least notion of the enormous number of memorials that are yearly presented to the Home Office. I have not calculated the number received in relation to imprisonments; but as respects penal servitude and capital punishment, I am told that they may be assumed to be not less than 1,000 in the course of the year. These involve a large amount of correspondence; and in addition to this there cannot be less than 4,000 or 5,000 documents connected with the memorials, irrespective of Judges' notes and other documents not included in the Motion. I shall assume for a moment that the House will agree to print such a voluminous mass of documents. The difficulty of expense got over, there would be another most serious one to contemplate. Many of the memorials sent to the Home Office are of an extremely libellous character. They almost all impute perjury and falsehood to some of the witnesses who have given evidence at the trial, and many of them charge other persons with the crimes for which the prisoners were convicted. I would ask the House whether it would be desirable to print such documents, or lay them upon the table of the House? Moreover, a great many anonymous communications are sent in; but these cannot be rejected because they are anonymous, for they sometimes contain arguments which are as worthy of consideration as those which are forwarded under signature, and they are not rejected if they contain anything in the shape of argument which can impress the mind of the Home Secretary. On the other hand, there are memorials containing an enormous number of signatures, and if we were to print these they would be mere lists of names bearing no meaning. My hon. Friend says the Home Office sees one side, but never sees the other. But that is not so, because the

Home Secretary has the Judge's notes and evidence before him. With respect to the case to which my hon. Friend called attention last Session, I understood that a complaint was made because I referred at once to the Judge. That, however, was a necessity. I was not in possession of the slightest information until I got the Judge's notes; and when a memorial for remission of sentence was forwarded to me I sent for these notes, and asked the Judge to enclose any remarks which he saw fit to make. The Judge's notes form the most material evidence as to the facts of a case; and his comments one of the most important aids which the Home Secretary can procure in forming his decision. My hon. Friend says he does not wish to interfere with the Royal Prerogative of mercy, but that he merely desires this information in order to see how the Home Secretary uses it. In answer to that, I have only to say that even if he did get all the information he desires it would not inform him correctly how the Home Secretary has acted, because the documents relating to the memorials, such as the Judge's notes, would be left out, and the memorials themselves would be as misleading as documents could possibly be. I can quote an example. Very soon after acceding to the office I have the honour to hold a case of great importance was brought under my notice, in connection with which long memorials, some of which would take hours to read and discuss, were forwarded. A great many of these memorials were argumentative, but the whole of them were based upon the assumption that the chief witness had been guilty of falsehood. These representations came from so many quarters that I was anxious to ascertain whether the witness could have possibly made any mistake in his evidence, and I accordingly had a letter written to the man himself, asking whether his evidence had been correctly reported, and whether he adhered to it. The man, after considering what had been said by others, replied, "I adhere to everything that I have here said." Now, suppose that these memorials had been laid upon the table of the House without the evidence of the man himself and without the Judge's notes—the House would have entertained a very different impression of the case to that which, with better means of judging, was arrived at by the Home Office. These memorials would, in fact, have been libellous, and I think it would be a most unjust thing for the House to make itself a receptacle for libels which could not be published in any other way. It is most desirable, when the exercise of mercy is under consideration, that nothing that can possibly be said should be shut out; but a great deal that should be considered would be shut out under the terms of this Motion. Upon these grounds, I cannot accede to the Motion of my hon. Friend. I cannot consent to it, because I do not believe it will lead to the results he anticipates. I cannot consent to it because I think it would be unjust to many persons who would have no opportunity of defending themselves; and because I think it would throw a very great impediment in the way of the exercise of the prerogative of mercy, which, as a last resort, must be brought into requisition. Baron Bramwell himself stated before the Commission that whatever Courts of Appeal may be instituted we must in the last resort have some one to exercise the prerogative of mercy. After the trial and condemnation facts might come out which it would be desirable to sift; and however long it might be after a man's conviction, if circumstances transpired showing that the conviction was unjust, or throwing such a doubt upon it as to make it clear that there ought to be some interference, there must necessarily be some authority to exercise the prerogative of mercy. Personally, I am not advocating the prerogative of mercy as a matter pertaining to my office, for I know no duty so painful as that which the present practice devolves upon me. But that prerogative must occasionally be exercised, and some one must take upon himself the responsibility of acting on the part of the Crown. That duty falls upon me at present; and I say that, so far from this Motion, if carried, giving the information desired—information such as would lead the House to just conclusions—it would mislead them, and cause them to arrive at conclusions the reverse of correct. I do not wish to go into all the questions adverted to by my hon. Friend, because the opportunity does not appear to me to be favourable. If the great questions he has alluded to are to be properly judged, they must be judged upon distinct and specific Motions brought before the House, and not in connection with another matter.

Before sitting down, however, I desire to call the attention of the House to the last Report of the Directors of Public Prisons, and to the extraordinary revelations which it makes as to the effects of those punishments which are said not to be deterrent. It is a remarkable fact to observe how steadily during the last few years the number of cases of penal servitude has decreased. In the year 1853 the number of life sentences was 783 ; in 1857 the number was only 35; while in 1866 there were only two life sentences given during the whole of the year. That shows a most remarkable diminution in the number of cases of extreme punishment, which we may fairly attribute to a diminution in the enormity of the offences committed. In the year 1858 the number of life sentences was 17 ; in 1859 the number was 16 ; in 1860 the number was 21 ; in 1861 the number was 16 ; in 1862 the number was 25 ; in 1863 the number was 20 ; in 1864 the number was 12 ; in 1865 the number was 4; and in 1866 the number was 2. These figures, as I have already remarked, show that there is an immense diminution in the enormity of the offences committed, and they also show that the Judges, looking to the deterrent influence of punishment, do not consider it necessary to pass such heavy sentences as they formerly did, and the Judges are in the best position to form an opinion as to what is sufficient punishment for an offence. I do not wish to enter upon the questions whether there ought to be a Court of Appeal or whether the Home Secretary ought in the last resort to exercise the prerogative of mercy ? These questions did not properly arise upon this Motion. With great respect for my hon. Friend I oppose the Motion, because the adoption of it would rather defeat than promote the object my hon. Friend has in view.

MR. NEATE said, the right hon. Gentleman the Home Secretary had given such good reasons for objecting to the Motion as it stood, that he hoped it would be withdrawn ; but he had scarcely met the meaning and spirit of the Motion. The House was entitled to know a great deal more than it did of the circumstances under which the Home Secretary exercised the prerogative of mercy, which really was in his hands, although it was the fashion to speak of the uncontrolled and unquestioned Prerogative of the Crown. If the Motion had been so worded as to ask for a Return of the number of cases in which the Home Secretary was asked to remit or commute sentences, the number in which he refused to do so, and the reasons which influenced his decisions, the Return might have guided Parliament in future legislation, and might have had a bearing on the desirability of exercising greater control than was exercised over the mode in which Judges were appointed. He did not see the difficulty of making a Return which should state that in one case there was an insufficiency of evidence, that in another a man had borne a good character, and that in another a man's behaviour in prison had been good, and for such a Return the Secretary of State ought to be accountable to the House.

SIR GEORGE BOWYER said, a great deal of confusion had been introduced into the question by the practice of speaking of the Home Office as a Court of Appeal, which it was not. Whether we had a Court of Appeal or not, we must have some person responsible to Parliament for the advice given in regard to the exercise of the prerogative of mercy. The reason why people had come to speak of the Home Office as a Court of Appeal was that there was no Court of Appeal in England, as there was in every other civilized country ; and this was a matter which must force itself more and more upon the public mind. Many of the arguments against a Court of Criminal Appeal were equally applicable as against a Court of Appeal in civil cases. Appeal was as necessary and useful in criminal as in civil cases. While Judges saw and heard witnesses, and could examine them, and also heard the arguments of counsel, the Home Secretary had only the notes and opinions of the Judge ; and it was impossible, under these circumstances, that the Home Office could be a satisfactory Court of Appeal. It would be deemed absurd to appeal to the Home Secretary against a decision in the Court of Chancery, and yet in principle the absurdity existed ; for, although the Home Office was not a Court of Appeal, cases came before the Home Secretary which ought to be decided by such a Court, and they were brought before the Home Secretary because we had no Court of Appeal. This question of a Court of Appeal in criminal cases must engage increasing attention, and he believed that common sense and reason would ultimately induce Parliament to establish such a Court, leaving still to the decision of the Home Secretary those cases which were not properly the subject of appeal, but belonged to the Prerogative of the Crown, exercised under the advice of a responsible Minister.

Mr. REARDEN said, that a Court of Appeal in criminal cases could not do harm, and might prevent a judicial murder. The establishment of such a court would give satisfaction to many persons who thought that capital punishment should be abolished altogether.

Mr. NEWDEGATE: Mr. Speaker—In reply to the hon. Member for Dundalk (Sir George Bowyer) I beg to say, that whatever opinion he may entertain with respect to my view of the abuse of an extended prerogative, no one who knows anything about the hon. Baronet doubts that he is in favour of the establishment of absolute power in Government. It is in a different sense that I shall endeavour to answer the observations of the right hon. Gentleman the Secretary for the Home Department (Mr. Gathorne Hardy). He appears to me to have used several arguments that support my case. Supposing these memorials, to which he has referred, are of the libellous character he has described, whilst many of the signatures attached to them are fictitious, is that a reason why this House should be kept in ignorance of the fact or of the proceedings to which those resort who attempt to interfere by such means with the administration of justice? One fact which I believe would come out if the information I ask for were granted is this—that it is only a small number of persons who create the greater part of the pressure that is brought to bear upon the Home Office, persons who are ever ready to interfere. I know that the system has grown up in recent years. There are persons, there is an organization, employed in beseeching jurymen the instant they leave the box to sign memorials in favour of reversing the effect of the verdict which they have just given. There is a regular machinery at work for this very purpose. Let not the House imagine that this is likely to be a small evil. I have here the authority of M. de Tocqueville, and others, cited by Lieber, that in the United States of America the abuse of the privilege of pardon had, until the matter was taken up by the State Legislatures, grown to the most frightful proportions; and it appears to me that, as we have copied the system of prison discipline and penal legislation which the Americans first adopted, we are bound to guard against the evils against which, those who first tried it, have had to provide. Then the right hon. Gentleman says that the number of sentences of penal servitude for life are not so many as they were. And why is this? Because it is notorious that the present system of separate confinement cannot be carried out for life with safety to either the intellect or bodily health of the prisoner. The present system of prison discipline does not admit of long sentences, and that is one reason why many of our Judges do not pronounce them. I am grateful to the House for hearing me at such length on this occasion. I yield to the opinion of the Home Secretary, that this Motion will not accomplish my object, and therefore, with the permission of the House, I will withdraw it, but upon the understanding that I shall seek other means, either by appointment of a Select Committee, or in some other manner, which may induce the House to turn its attention to that which is really a growing evil in the Midland Counties, trusting that the wisdom of Parliament may discover some remedy.

Motion, by leave, *withdrawn.*

RAILWAY AND GAS SHARES BILL.

LEAVE. FIRST READING.

Mr. WALDEGRAVE - LESLIE, in moving for leave to introduce a Bill "to amend the law in respect of the Sale and Purchase of Shares in Railway and Gas Companies," said, it resembled very nearly the Bill affecting the sale and purchase of bank shares, brought forward by the hon. Member for York (Mr. Leeman). To show the necessity for such a measure, he might refer to the City Article of *The Times* of November 28, which stated—

> "In the railway-market the daily increase of distrust continues, and after regular hours this evening Caledonian, which left off yesterday at 72½, went to 70½ to 71 for the next half-monthly settlement. Midland, also, at 110 to ¼, showed a further fall of nearly 2 per cent, although the traffic returns of that line for the week present the large increase of £7,547. Those of the London and North-Western line likewise show an increase of £7,130, but in that stock, too, there has been a fall of 1 per cent. At the same time, the extent to which the cause of depreciation is due to speculative operations has been exemplified by the fact that a rate of from 20 to 24 per cent per annum has been paid to-day for the loan of Caledonian Stock until the next half-monthly settlement, while 9 per cent has been paid for Midland and Lancashire and Yorkshire, and 6 per cent for Brighton."

The railway "bearing" was then upon the Caledonian Railway; but it was reported that other lines were to be taken in turn.

Motion *agreed to.*

Bill to amend the Law in respect of the sale and purchase of Shares in Railway and Gas Companies, *ordered* to be brought in by Mr. WALDEGRAVE-LESLIE, Mr. GOLDNEY, and Mr. GRAHAM.
Bill *presented,* and read the first time. [Bill 23.]

CHURCH RATES ABOLITION BILL.

On Motion of Mr. HARDCASTLE, Bill for the abolition of Church Rates, *ordered* to be brought in by Mr. HARDCASTLE, Mr. BAINES, and Mr. GILPIN.
Bill *presented,* and read the first time. [Bill 21.]

CHURCH RATES REGULATION BILL.

On Motion of Mr. HUBBARD, Bill for the Regulation of Church Rates, *ordered* to be brought in by Mr. HUBBARD and Mr. BERESFORD HOPE.
Bill *presented,* and read the first time. [Bill 22.]

House adjourned at a quarter after
Seven o'clock, till Thursday.

HOUSE OF LORDS,

Wednesday, December 4, 1867.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Drainage and Improvement of Lands (Ireland) Supplemental* (3); Totnes, &c. Writs (7); East London Museum Site (2).

TOTNES, &c. WRITS BILL.

(*The Earl of Derby.*)

(NO. 7.) SECOND READING.

Order of the Day for the Second Reading read.
Moved, "That the Bill be now read 2ª."—(*The Earl of Derby.*)

THE EARL OF DERBY, in moving that the Bill be now read a second time, said, that the object of the Bill was merely to remedy an oversight in the Reform Act of the last Session. It was enacted by the 12th section, that from and after the end of this present Parliament the four boroughs reported against shall respectively cease to return any Member or Members to serve in Parliament; and by the 60th section it was provided that in the event of any vacancy in the representation of any constituency, or of the calling a new Parliament before the 1st of January, 1869, the election shall take place in the same manner as if the Act had not been passed; except that the four boroughs disfranchised by the Act shall not return Members to the New Parliament. The wording of these clauses left it doubtful whether, in the event of a vacancy occurring in any one of these four boroughs during the existing Parliament, it would not be necessary to issue a writ for the election of a new Member. It was moreover thought that a Resolution of the House of Commons to suspend the issue of the writ was not the proper way of meeting the case. This Bill had therefore been introduced to remove this doubt.

Motion *agreed to:* Bill read 2ª (according to Order); Committee *negatived;* and Bill to be read 3ª *To-morrow.*

EAST LONDON MUSEUM SITE BILL.

(*The Lord President.*)

(NO. 2.) SECOND READING.

THE DUKE OF MARLBOROUGH, in moving that the Standing Orders relative to Private Bills be dispensed with, in order that this Bill might be now read a second time, explained that its object was to remove a technical difficulty in the way of requiring a site for this Museum, in the construction of which it was intended to spend £5,000 during the coming year. The Standing Order which it was desired to suspend directed that, in reference to such a Bill, it should be laid before the Attorney General, and that he should report upon it.

Motion *agreed to.*

Standing Orders relating to Private Bills *considered,* and *dispensed with.*

Bill read 2ª (according to Order), and *committed* for *To-morrow;* and Standing Orders Nos. 37 and 38. to be considered in order to their being dispensed with.

House adjourned at a quarter past
Five o'clock, till To-morrow,
Eleven o'clock.

HOUSE OF LORDS,

Thursday, December 5, 1867.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Income Tax; Consolidated Fund (£2,000,000).*
Committee—Sales of Reversions* (5); Drainage and Improvement of Lands (Ireland) Supplemental* (3); Metropolitan Streets Act (1867) Amendment (8).
Report—Sales of Reversions* (5); Drainage and Improvement of Lands (Ireland) Supplemental* (3); Metropolitan Streets Act (1867) Amendment (8).
Third Reading—Totnes, &c. Writs* (7), and *passed.*

RAILWAYS COMMUNICATION BETWEEN DRIVERS AND GUARDS.

QUESTION.

Lord STANLEY of ALDERLEY asked the noble Duke the President of the Board of Trade, Whether it is the intention of the Government to bring in a measure to provide that there should be means of communication between the drivers and guards of railway trains?

The Duke of RICHMOND said, that the subject had been under the consideration of the Board of Trade, and during the autumn experiments had been made on various lines of railway throughout the country, with the view of establishing some system of communication between the guard and the driver. These experiments were to be continued till the close of the year, when the results would be laid before the Board of Trade. There were difficulties in the matter, but the Board hoped to overcome them. The Government would endeavour, if possible, to carry out the object to which the recommendations of the Committee of last year were directed, though he did not think the mode of dealing with the matter which had at that time been suggested was the best one.

METROPOLITAN STREETS ACT (1867) AMENDMENT BILL—(No. 8.)

(*The Lord Clinton.*)

COMMITTEE. REPORT.

House in Committee (according to Order); Bill *reported,* without Amendment.

Report *considered.*

The Earl of DERBY: I have to submit to your Lordships' consideration a clause of which I have not given notice, but to which I hope, under the peculiar circumstances of the case, there will be no objection. Your Lordships are aware that the other evening the metropolis was deprived of a very important adjunct to the public convenience by the withdrawal of all cabs from the streets after four o'clock. That was done in consequence of the dissatisfaction of the cab-proprietors and cab-drivers, directed principally against one of the regulations in the Metropolitan Streets Act of last Session. I think it a matter of great regret that those persons should take the course they did, in order to call the attention of Her Majesty's Government to what they consider a great grievance; because it was a proceeding likely to throw great difficulties in the way of the Government in proposing an alteration of the Act. But I must say that a meeting was held the same evening, numerously attended by cab-proprietors and drivers, which was characterized by great moderation and great good temper; and the result of that meeting was that a deputation waited on my right hon. Friend the Secretary of State for the Home Department, and laid before him their views and their complaints. The principal grievance of which the cab-proprietors complain, and which appeared to my right hon. Friend, as it does to me, to be a fair and legitimate ground, if not of actual complaint, at least one requiring further investigation and consideration, was that in addition to the very heavy duties which they now pay, amounting to £19 or £20 a year, upon each cab, an additional burden is now thrown upon them which is not inflicted upon other carriages—namely, the expenditure involved in carrying lamps. The provision to that effect is found in the Act of last Session, which contained a vast variety of details—it being a great object with both Houses of Parliament that some remedy should be applied to the serious obstructions existing in the streets of the metropolis—and it is possible that some of the details may have passed without that consideration to which they were fairly entitled. But, as far as I am aware, I believe there were not during the passing of the Bill, any complaints on the part of the cab-drivers and proprietors on this particular point. Nevertheless, there certainly is a fair ground of complaint in the additional charge thrown upon them without any alleviation on their burdens. They further complain that the power of enforcing this regulation is left, to a great extent, discretionary with the Police Commissioners, who are to fix the hours during which lamps are to be carried. My right hon. Friend the Secretary of State for the Home Department felt that their statement involved matter which required further consideration, and therefore he proposes to introduce a clause—with which, I understand, the persons interested are perfectly satisfied—namely, to transfer the discretionary power now vested by the Act in the Commissioners of Police to the Secretary of State for the Home Department, and to provide that no regulations as to lamps under this Act shall be issued without the approval of the Secretary of State.

That will afford my right hon. Friend an opportunity of fully investigating the subject; and I may add that I believe it is the intention of my right hon. Friend, as soon as Parliament meets again, to move for the appointment of a Select Committee to investigate the whole case of the cab-drivers and cab-proprietors of the metropolis. With this explanation, I hope your Lordships will have no objection to sanction the clause, which provides that no regulations shall be made with regard to the carriage of lamps by hackney carriages under the Act of last Session except with the approval of one of Her Majesty's principal Secretaries of State.

LORD STANLEY OF ALDERLEY said, that when the Bill was before the Select Committee of their Lordships' House, no objection was made to the proposal with respect to lamps. If, however, the change proposed would effect a settlement of the question that was regarded as satisfactory by the parties interested, he should not interpose in any way. But the obligation imposed by the Act was one that in itself seemed not unreasonable, and he hoped it would not be lost sight of in any future arrangements on the subject.

LORD ROMILLY said, the only satisfactory settlement of the cab question would be to allow the cab-drivers to charge whatever they pleased—subject only to this condition, that they should put outside their cabs a table of the fares they charged. The whole system of regulating the fares of hackney carriages was a remnant of barbarous times; for competition would apply equally to that case as to anything else in obtaining for the public a supply of the best article at reasonable rates. Omnibuses, for instance, might charge any price they pleased, but they found it to their own interest to keep down their charges. All great writers and political economists were unanimous in thinking that the fact of legislating as to the fares of hackney carriages was as great a mistake as could be committed. In illustration of his meaning he might state a little fact. At one time a society of great political economists, whose meetings were attended, among others, by Mr. Ricardo, Sir James Mackintosh, Mr. Mill, Mr. M'Culloch, and Mr. Malthus, met together to discuss nice questions of political economy; and it was said of them that the only question upon which they were ever unanimous was the impolicy of putting any limitations upon hackney carriages. He hoped their Lordships, when the Committee was appointed, would remember that the regulations affected one class alone.

THE EARL OF DERBY: The noble and learned Lord must be aware that the introduction of such provisions as he contemplates would be impossible now, and would simply have the effect of preventing the Bill being passed before the Recess.

LORD ROMILLY said, he did not mean that the question should be dealt with now, but at a future time.

THE EARL OF DERBY: The noble and learned Lord has undoubtedly raised a very fit subject for consideration. But as he has mentioned one little fact, there is another little fact that I will mention. At this moment the Corporation of Liverpool have introduced a by-law for carrying into effect the very proposal which he now makes—namely, that cab-proprietors shall be allowed to charge what they like, provided only that they put the fare outside their cabs; and the whole of the cab-proprietors of Liverpool are at this moment on strike against that by-law.

LORD LYVEDEN regretted that the question of the lighting of cabs should have been taken out of the hands of the Commissioners of Police, who knew what was best for the public safety, and transferred to the Home Secretary, who was necessarily less conversant with the subject. The cabmen had undoubtedly cause for complaint; but the true cause was the high charges to which they were subjected, and the low fares they received. Lights would be a protection to the public, and of that protection, according to the noble Earl's statement, they would now be deprived.

THE EARL OF DERBY: The public have not been deprived of anything. The effect of the clause now introduced can only be to postpone action, at the outside, for the next three months. Meanwhile, matters remain precisely in the same position as they were before.

Motion *agreed to;* Clause *added* to the Bill.

Bill to be read 3^a *To-morrow*, and to be *printed* as amended. (No. 8.)

ABYSSINIAN EXPEDITION.

Paragraph of the Queen's Speech relating to Abyssinia read—

THE EARL OF DERBY: My Lords, I can assure you that my object in moving that the paragraph in the Queen's Message should be read is not in the slightest degree to limit the range which any of your Lordships may take in the discussion that may arise on the present Motion; but it is for the purpose of explaining why I do not propose to go back to any previous proceedings connected with this subject, but limit myself to a few remarks upon the Resolution to which I am about to ask your Lordships' assent. My Lords, we are invited by a communication from the Commons to endorse their concurrence in the necessity of an expedition to Abyssinia, and their readiness to co-operate with Her Majesty in her endeavour to release her subjects from captivity, and vindicate the honour of her Crown. The questions arising out of this were, in the first place, is it expedient that the expedition should be sent from India; and, if so, whether it is competent for the Government to avail themselves of any portion of the revenues of India for the purposes of that expedition; and supposing them to be competent, what proportion of the revenues of India ought in fairness to be applied in that way? A further question arises as to the mode in which Parliament should provide for the necessary expenditure; but that question will be dealt with by your Lordships when considering the Motion which stands next upon the Paper—the Income Tax Bill. The question is one which mainly belongs to the House of Commons, and though your Lordships may give a negative to that Bill, you have no power to make any Amendment on it. The first question for our consideration, then, is supposing an expedition to Abyssinia is necessary, is it expedient to send it from India? It is singular that the question as to the expediency of sending the expedition from India has never been raised in the House of Commons, but has been assumed as a matter of course. The motives, however, for so sending it are very clear. In the first place—more especially at the present time—troops can be better spared from India than from Her Majesty's forces in the United Kingdom. In the next place, the base of operations, being necessarily on the Red Sea, is much more convenient of access from India than from this country. When I say that the base of operations is necessarily on the Red Sea, I should explain that if the invasion of Abyssinia had been attempted from any other quarter it would have exposed us to much misconception and have materially increased the expense. I know that we might with much less difficulty, and undoubtedly with much more certainty, have conducted an expedition up the Nile, and I believe the Viceroy would not only have offered us no opposition, but would have been only too happy to co-operate with us. But all who know anything of Abyssinia know that any invasion from the Egyptian side would have at once combined against us all those semi-civilized and semi-Christian tribes who are at present in a state of revolt against King Theodore; for they would immediately believe we had come with the concurrence, if not in the interest, of their hereditary enemies—the inhabitants of Egypt. Apart from all other reasons, this is strong enough for making the attempt from the Red Sea, and if from the Red Sea, then from India. Another consideration in favour of starting from India, is that the troops there are better fitted to endure the climate of Abyssinia than men fresh from England. Colonel Merewether, our Resident at Aden, has expressed his firm conviction from the first that it would be absolutely necessary to adopt this course, and never thought of anything else but an expedition from India. As I have said before, the House of Commons have never entertained any question on the subject, but took it for granted that the expedition was to proceed from India. Then, my Lords, arises the question whether we are entitled to avail ourselves of the Indian revenue, subject to the consent of Parliament, for the purposes of this expedition. That question depends upon the provisions of the India Act of 1858; and although I called your Lordships' attention to this point, upon the first night of the Session, I may be permitted to notice what took place in your Lordships' House when the particular clause in question was under discussion. When the Bill left the Commons there was a clause which provided that it should not be competent for Her Majesty's Government to make use of the troops of India for any foreign service, except under specified circumstances, otherwise than with the consent of Parliament. That clause was subsequently so altered as to create some confusion, and I had the honour of moving in your Lordships' House the clause as it now stands. I at the time said the object was not to prevent Her Majesty from making the same use of Indian troops which she could make of any other troops; but to prevent the charge of a war being thrown upon the revenues of India, thus evading that constitutional control which Parliament exercises over military operations. The object, therefore, of the clause moved by me was to place the troops of India, with regard to the payment of those troops when engaged in foreign expeditions, precisely on the same footing as the ordinary troops of Her Majesty's service. But, as the noble Earl opposite remarked, a continual security exists with regard to the revenues of India, inasmuch as no sum can be expended without the consent of the Council, who are the Guardians of the Indian purse. Consequently, there is a double check upon the employment of these troops upon service foreign to India—first, the consent of the Council of India must be obtained to any such expenditure, and then the consent of Parliament. But not necessarily before the Sovereign has taken the Resolution involving the expenditure. My Lords, it is an undoubted Prerogative of the Crown to enter upon a war, subject only to the consent of Parliament as far as providing the means of paying for the troops employed is concerned; and though the withholding this consent would certainly be an effective barrier to carrying on a war, no one ever pretended that it was necessary for Parliament to be consulted previous to the declaration of war; and in like manner, as it was the intention of Parliament to place the troops of India upon the same footing as troops in England, there is no need for Parliament's consent to the Crown's dealing with them, except as to their payment. And that is the foundation of the Resolution passed by the Commons—it gives effect to the provision of the India Act. The Resolution passed in the House of Commons provides that the ordinary pay of the Indian troops employed shall be defrayed out of the revenues of India—so that India shall be charged with no expenditure which would not have arisen if this expedition had not taken place. There does not appear, in connection with the various occasions in which Indian troops have been employed and Indian revenues have been applied towards the prosecution of our wars, any precise understanding, or any rule laid down as to the proportion India should bear under such circumstances. In the first China War, in 1839-40, India gave her troops without payment, and subsequently had to increase her forces for the purpose of replacing them, and no allowance was made by the Imperial Government for that. The present arrangement provides that India shall pay for the troops used in the expedition precisely the same amount which she would have paid had they remained in India, and not been lent for the service of the Crown; but if, in consequence of that, it should be necessary to replace those troops, or incur any additional expense, in that case the additional expense shall be borne by the Imperial Exchequer; so that no additional charge will fall upon India. In the Persian War, in 1856, India contributed the whole of the ordinary and half the extraordinary expenses. It may be said that a Persian war is much more closely connected with the interests of India than either a China war or a war such as that in which we are about to engage, and therefore that it is not unreasonable that she should contribute a larger proportion in the first instance than she should in the two latter. In the third China War, the ordinary and extraordinary expenses were borne by England; but it should be remembered that at the time our troops were engaged in quelling the mutiny in India, and that there were very serious drains made on the Indian revenue; but even in that case, when a demand was subsequently made on the part of the Indian Government for the reimbursement of £189,000 for the ships supplied towards the expedition, that claim was disallowed, and the sum remained an extra charge on the revenues of India. The present arrangement, as your Lordships will, I think, see, is one which is much more favourable to the India revenues than any which have been adopted on previous occasions, and, as such, it has been generally recognised in the other House; for though there was a slight difference of opinion with regard to the propriety of the course which it was proposed to adopt—the numbers, on a division, being 198 in favour of the proposal of the Government, and 23 against—there was not entire unanimity even among the minority, some contending that India had been let off much too cheaply, and ought to contribute a much larger sum. I may add that in respect to vessels supplied by India all the charges for fitting them out and sending them on this expedition will be defrayed from the Imperial revenues, and no additional expense will fall upon India in consequence of this expedition. I have said there was a difference of opinion in the House of Commons as to the proportion of the expense which should fall upon the revenues of India; and though I know that it is not regular to refer to what has occurred in that House, your Lordships will, I trust, pardon the irregularity, because I wish to refer to the frank and handsome manner in which the right hon. Gentleman the late Chancellor of the Exchequer (Mr. Gladstone) supported the proposal of the Government. I cannot help feeling that that support, coming from a quarter not very favourable—or, at all events, not very prejudiced in favour of the conduct of Her Majesty's Government—is very valuable testimony to the judgment which the Government has formed upon this matter. The language employed by the right hon. Gentleman, as reported, was—

> "I confess that on examining this proposal it seems to me, upon the whole, to be moderate in amount, conformable to precedent, with a tendency towards greater leniency than towards greater rigour to India; to be tenable and fair in principle, and therefore one that will meet the justice and equity of the case."—[3 *Hansard*, cxc. 396.]

Now, there has been no difference of opinion as to the propriety of sending the expedition from India, nor has there been any difference of opinion as to whether the revenue could be applied without the consent of Parliament. Clearly it could not; and the only possible question which can now arise is whether the Government have overstepped the limits of the law—for my own part I do not think they have—in incurring, or proposing to incur, expenses before those expenses have received the concurrence of Parliament? I do not think that they have laid themselves open to that charge, because, as I have before said, in the case of English troops there would be no necessity for obtaining the concurrence of Parliament previous to their employment in such an expedition; and all that we have done is to place the Indian troops in the same position, which I take to be the meaning of the Act of 1858.

Moved that this House do concur in the following Resolution, communicated by the Commons; viz.,

> "That, Her Majesty having directed a Military Expedition to be despatched against Abyssinia, consisting mainly of Troops both European and Native at present maintained out of the Revenues of India, the ordinary pay of such Troops as well as the ordinary charges of any Vessels belonging to the Government of India that may be employed in the Expedition, which would have been charged upon the Revenues of India if such Troops or Vessels had remained in that Country or seas adjacent, shall continue to be so chargeable; provided, that if it shall become necessary to replace the Troops or Vessels so withdrawn by other European or Native Forces or Vessels, the expense of raising, maintaining, and providing such Forces or Vessels shall be repaid out of any monies which may be provided by Parliament for the Purposes of the said Expedition."—(*The Earl of Derby.*)

The Earl of ELLENBOROUGH: I entirely concur with my noble Friend in the opinion that this expedition, if sent at all, must be sent from India; and I believe that the arrangement made between the Governments of India and England with regard to the payment of expenses is a perfectly equitable one. At the same time, I cannot but regret that it should be found necessary at so early a period after the establishment of the new organization of the Indian army to send any of the troops beyond the seas. I fully admit the justice of this war. According to our views of the Law of Nations, about which the ruler of Abyssinia knows nothing, King Theodore has been guilty of its violation, and has acted not only with injustice but also with cruelty towards several of Her Majesty's subjects, one or more of them being persons accredited to Her Majesty. The war therefore is a perfectly just one. But, my Lords, what is the object of the war? It is certainly one which has never before occurred in history. A large expedition is about to be sent into an unknown and mountainous country, about four times the size of Switzerland, and very much in the same state as that country was at the time Hannibal passed the Alps, to procure the release of some of our countrymen who have been detained for a lengthened period in captivity by a sanguinary tyrant, whose passions are unchecked by any moral or religious considerations, though he appears to be fond of frequently dwelling upon the latter. My apprehension is that the expedition never can succeed in procuring the release of those prisoners. If the ruler of Abyssinia had been a rational person, the ordinary course of proceeding would have been to blockade the coast of his country, and so prevent external communication. But he is not a man of reason, and what I am afraid of is, that we shall produce upon his mind such an impression as the mind of a madman would be liable to, if an attempt were made to coerce him, and that we shall only precipitate a catastrophe such as that which occurred at Cawnpore. In considering any matter of great importance I always endeavour to satisfy myself as to what would have been the opinion of the Duke of Wellington on the subject, and this I endeavour more especially to do when the subject partakes of a military character. Not only looking to the general prudence of the Duke of Wellington, and acting on all occasions in accordance with his military principles, but particularly when I recollect the advice which was given to me by the Duke of Wellington when I was about to proceed to India, with the general direction of the expedition to the coast of China, I cannot come to any other conclusion than that he would have disapproved this expedition. The Duke's advice was, "Remember, the troops depend upon the fleet, and you must never place them in a position in which they will not have easy and secure communication with the fleet." The Duke of Wellington held, moreover, that it was never safe or justifiable to leave any army in a position in which it had not easy and secure communication with the country from which it proceeded. Every army should be in possession of all its communications. It is scarcely possible to conceive anything more unfavourable to this requirement than is to be found in such a country as Abyssinia, where for 400 miles into the interior there are neither roads nor bridges, where the paths are in many places only wide enough to permit the passage of a single mule—a country broken by ravines and water-courses which, in the rainy season, become frightful torrents —it is scarcely to be supposed that in such a country communication by a single outlet can be maintained with the sea. Perhaps I may be permitted to say a few words with respect to the measures which have been adopted by Her Majesty's Ministers with a view to the success of this expedition. I must admit there has been on this side of the sea, and also on the other, very great zeal on the part of all who have had anything to do with the fitting out of the expedition. But, at the same time, we know nothing of what has been done in India. We have on this side a very ample list of all the articles furnished to the troops; but we do not know how the deficiencies have been supplemented from India. I can therefore only look at the list of articles contributed from this country; and I venture to say there are certain things, in the first instance, absolutely necessary to be provided to insure the success of the expedition which are not included in this list. The first is a floating pier, which is absolutely necessary for the landing of the troops and stores. There is but a distance of 200 yards to be passed over; but there are no means of passing it, and neither man nor beast can be landed without a floating pier. An attempt has been made to supply it by a single steamer, making one trip a day to Annesley Bay; and there has also been an effort to make a pier of stones, but it can only be after a long time that a stone pier can be constructed. Something is said in the blue book with respect to a tramway. Either a tramway or a railway is essentially necessary from the point of debarcation to that part of the road which first touches the hills. More than that, water must be conveyed by pipes from the first place on the hills where it is to be obtained to iron tanks placed in depôts on the shore. More than that, it appears that the track of desert country between the sea and the hills is traversed by water-courses, and before the rains begin it is necessary that provision should be made to establish temporary bridges for the purpose of keeping up the communication, otherwise it will be entirely suspended. Aden, although it may provide water enough to the residents, does not supply enough to meet the demands of the troops. It is to be obtained on the eastern shores of the Red Sea, but only by sending skins, which are used for its transport. So far as I have heard, no attempt has been made to supply these. There is a strange deficiency of many other articles which are absolutely necessary to the success of this expedition. It must be in the nature of a pioneer expedition, for they will not find a single road by which they can march, still less by which they can draw artillery. To enable them to make roads they must have the means of blasting rocks, and pickaxes, spades, and axes in large numbers for cutting down wood. The number of axes furnished is only ten —one to every 2,000. The number of billhooks is only fifty, of clasp-knives only twenty-five, of turn-screws at first only six, but fifty have been added, of spades there appeared to be none, of pickaxes none, and, what is more strange, there are no ropes, no blocks to make them, and no pulleys — the ordinary and accustomed modes of raising guns up steep precipices. All these should have been provided. Then there are no hollowed trees, which are also necessary for carrying up the guns up places where they cannot go upon wheels. There are no nails, no bolts, no screws; and, strange enough, although there is a provision of warm clothing sent from here, it seems intended only for Europeans; the Natives require it still more, and unless the deficiency is supplemented from India the Natives will have none. I mention these things with regret, because I think every disposition and great zeal have been shown to supply everything that might be required for the expedition. I confess it is to me a subject of the deepest regret that it has been determined to send this expedition. I regret it, not only because I think it will be perfectly impossible for the troops to maintain their communications, but because I think it is unavoidable that we should be drawn into great and serious complications. We are told that immediately the expeditionary force obtains possession of the captives it will be their duty to withdraw from Abyssinia; but it seems to me that it will be impossible for them with honour at once to withdraw from the country. How can they do so, and leave all the Native tribes who may have assisted them to the mercy of King Theodore? I cannot understand how the feeling of this country would permit such a state of things. But I deeply regret the expedition also on other grounds. It is impossible to look at the position of Europe — at the position of this country, without feeling that the existing state of things is extremely unsatisfactory. There is scarcely any security from week to week that the peace of Europe will not be disturbed. The very last Paper laid on our table satisfies us that we do not yet sustain entirely satisfactory relations with America. In the present state of affairs I hold it to be our first duty to abstain from any movement whatever which would occupy any portion of our military or naval forces, to keep everything at hand that may in the event of necessity be required for our own security or the preservation of peace. I cannot but feel that while this army is in Abyssinia it may be considered as a hostage in the hands of other Powers. We cannot in a war maintain that army and the vast amount of tonnage and transport by which it can be supported. Our dominions are too extensive and make too great demands on our military resources, which have not kept pace with the increase of our possessions. We are paralyzing ourselves, therefore, until that armament is restored to this country. I do deeply regret that Her Majesty's Ministers, deriving no instruction from the mistakes of other Governments, have not been warned against rearing a Mexico of our own.

LORD DE ROS said, the noble Earl (the Earl of Ellenborough) assumed that the army would go headlong into Abyssinia, without retaining its communication with the shore. Now he (Lord de Ros) had great confidence in the military skill and resources of Sir Robert Napier, nor did he apprehend any insurmountable difficulty from the circumstances to which the noble Earl had alluded. His impression was, Sir Robert Napier would form his depôts as he proceeded up the country. His advance would be very light, but his supports very heavy. His noble Friend talked about the necessity of a floating pier. Now he (Lord de Ros) remembered what the French did at Varna—in three or four days they constructed as good a pier as was necessary, and the troops were landed without difficulty. There was, in fact, no difficulty about it. As he understood, the Transport Office had adopted the system which had been employed in the Crimea of uniting large platforms upon boats, and thus making a way over which guns, stores, and troops were landed with the greatest facility. Besides, there were no large guns in this case, and there was no necessity for hollowed trees. Guns of the calibre required would be carried by mules. The mule artillery of Sardinia passed over the Alps with great facility—and, indeed, there was no difficulty with guns of that calibre. Then, as to water, Sir Robert Napier would have to do as General Bosquet did in Turkey; where there are frequent but very small water springs. What did he do? When he came to the springs, instead of carrying iron tanks he formed tanks in the earth and puddled them. The transport of water in skins was perfectly familiar in the East. The noble Earl seemed to apprehend a scarcity of turn-screws; but the fact was that every soldier had a turn-screw in his knapsack; the cavalry also carried nails. The other deficiencies noted by the noble Earl were of so trivial a nature that he could not imagine a man of Sir Robert Napier's ability could fail in taking every possible precaution. He really did not see how the Government could do more than they had done in the arrangement of this expedition. They had confided it to an able man, thoroughly conversant with its details, to whose hands the safety of the expedition might well be intrusted. So far from anticipating any disaster, if they could but succeed in getting the captives, he was perfectly certain of their getting back and maintaining our honour without any serious difficulty whatever.

Earl RUSSELL: With regard to the Resolution of the other House, in which your Lordships are asked to concur, it seems to me that this is a question in which the honour of this country is concerned, and that we could not allow these captives to remain in Abyssinia without an attempt to relieve them, unless it could be shown that the attainment of that object was utterly impracticable. That has not been shown; but, on the contrary, it appears from the information before us that the arrival of the troops at Magdala and the rescue of the captives are practicable objects. Under these circumstances, the Government would have been inexcusable if they did not make an attempt to rescue the captives. The question of the difficulties which may be experienced in the attempt is not a question on which we are able to form an opinion in this House; but I rely on the ability of the persons belonging to the Engineers and to other branches of our army, which are composed of men of resource, and I believe that they will be able to overcome all difficulties. It has been stated that if in some of the narrow passes of Abyssinia a man should be struck down by a sunstroke, or if a mule should fall down dead, the whole expedition would be stopped. Now, I happened to pass through the Pyrenees shortly after the passage of the Duke of Wellington with his army, and I saw places on the sides of the road where mules and horses had fallen down exhausted and had been thrown over the precipices, so little were their dead bodies allowed to impede the progress of the troops. In such a way are difficulties overcome by energy and skill; and I therefore do not think that the Government will have any cause to repent of the determination they have come to. With regard to the military operations in preparation, I think that Parliament is bound to extend every consideration and forbearance to the Government, who certainly have undertaken a very difficult attempt. The noble Earl near me (the Earl of Ellenborough) has spoken of the difficulty there may be in getting out of Abyssinia when the object of the expedition shall be accomplished. No doubt, in the months of May, June, and July of the next year, the rainy reason—and we see by the travels of Sir Samuel Baker what a deluge it is—will set in; but it is to be hoped that the troops will have returned to the coast before that time. With respect to the amount of the expenditure chargeable on India, though I agree in what has been stated elsewhere with regard to precedents, yet I would observe that we must beware not to push these precedents too far, and we should have consideration for the interests of the people and the Government of India. Supposing that the colonies of the Cape of Good Hope and New Zealand had undertaken to maintain and pay in those colonies a portion of the British army (two or three regiments), and that afterwards it was proposed to take the regiments away and employ them in some expedition in which the interests of the Empire at large were concerned, it may be readily supposed that the colonists would at once object to pay for them, and that their constitutional Assemblies would say, "If you take away these troops you must take the payment of them on your own Treasury." It is no reason because the people of India have no representation and no organization to express their complaints that they should be dealt more hardly with than were the people of the Cape or of Australia. I will say nothing further, as the noble Earl has not entered generally into the question; but I must express my opinion that the Government are quite right in undertaking the expedition, and I wish they may be successful.

The Earl of DENBIGH said, he could not but share in the regret that this expedition had been undertaken, not because of the expense which would fall on this country, nor on the probable sacrifice of life, but because, in his view of the case, this war would be only the complement of a lamentable policy, and would add one more stone to the cairn of political crime. He believed that the gravest consequences would ensue from it, and he hoped that their Lordships would allow him a few moments in which to enunciate his opinions. If, as he believed, the detention of Mr. Rassam and his companions was owing to the culpable mismanagement of the noble Earl lately at the head of the Foreign Department, then war would be unjustifiable as well as unjust. He believed that the duty of individuals to one another was applicable to nations. A man who killed another unnecessarily or unlawfully was guilty of murder; and in the same way a war which was unjust, unnecessary, or unlawful, was a crime also; and that crime was murder, and all who were the cause of it were involved in the guilt. An unnecessary war might arise from the incapacity of a statesman from whose policy it ensued, and the guilt of murder would attach to him; hence the necessity of all statesmen looking to the first principles of justice and morality. With regard to the origin of the Abyssinian war, it appeared from the blue book that Mr. Cameron had been condemned by the Foreign Office three or four times for mixing himself up with the internal affairs of Abyssinia, with which he had no business. He (the Earl of Denbigh) asked, why then the Foreign Office did not recall him? If Mr. Cameron had been at that time recalled, we should have heard no more about the matter; but he was left there, and King Theodore, rightly or wrongly, conceived that Mr. Cameron was mixing himself with internal intrigues in that country, and therefore laid hands on him. If the King was justified in doing this, then the present war was not as justifiable as it would appear at first sight. There were other causes. The noble Earl (Earl Russell) received a letter from the King for Her Majesty, and, according to Mr. Flad, the non-answering of that letter was a great cause of irritation to the King. The noble Earl, whose policy was certainly active in dealing with other States, must needs give orders to the Consul at Jerusalem to mix himself up in the intrigues of the Abyssinians and the Copts; and he (the Earl of Denbigh) was astonished when he saw that the reason given was that the Abyssinian Church was in spiritual communion with the Church of England. It was the first time that he had heard of such a thing, and when he examined the question he found that the Abyssinian Church was closely allied to Popery. Whether Mr. Rassam was or was not a proper person to send out with Her Majesty's letter to King Theodore was a question into which he would not enter. Mr. Rassam was sent out, and his capacity was such as to entitle him to respect. He seemed to have been well received. The Emperor granted his petition, and liberated the prisoners. But confusion arose in consequence of the noble Earl writing another despatch, entirely different from that which was forwarded through Mr. Flad by our Consul General at Alexandria, and when the Emperor saw a despatch written in an entirely different sense his suspicions were awakened, and he was led in consequence to imagine that he was betrayed, and seized Mr. Rassam. If this supposition were well-founded, the noble Earl was responsible for all the events of the war. He did not blame the Government for giving their assent to the expedition, which was really forced upon them, and therefore they were entitled to claim co-operation. He considered that the question as to the lawfulness of war was one that ought not to be lost sight of. The circumstances of Europe at the present time were most peculiar and critical. They saw war waged on all sides without any attention to the rules of war. He would ask the Government to act in accordance with the old and time-honoured rules of law — of that International Law which had been so much violated. Not only had International Law been violated, but so had it been with laws human and divine. He had, he might add, heard it suggested that the noble Earl himself should be sent out as a messenger to King Theodore, inasmuch as he was likely to be the person most fitted to explain his own despatches. He could not help expressing his regret that the laws which had been laid down by Vattel, and which had commanded the sanction of all civilized nations, had been so much departed from. That great authority had laid down that unlawful war was as much murder as it was to execute a criminal without a warrant being drawn out. Previous to blood being shed a formal declaration of war ought to be made, and that declaration ought to be formally conveyed by the Sovereign making it to the other Powers. As a supporter of a Conservative Government, he wished to adhere to these laws and to see them carried out.

LORD LYVEDEN said, he should not on that occasion enter into the question of the expediency of sending out an expedition to rescue the Abyssinian captives. Now, that it had been determined upon, he thought it was desirable that there should be no division among their Lordships as to the necessity of pursuing it with all possible energy. He assented to the proposition that what they were called upon to consider now, was first whether the expedition ought to proceed from India; and secondly, what proportion of the charge ought to be placed on Indian revenue? His own impression was that King Theodore was not the mere savage he was represented to be, for he seemed to be as well acquainted as ourselves with the contents of every newspaper which commented on the subject. It was therefore of importance that he should see that there was no want of unanimity in the British Parliament as to proceedings which should be taken against him. With respect to those proceedings themselves, some reference had been made to the danger of transferring a part of our Indian army away from India to Abyssinia. No doubt this was a matter which required very grave consideration; because it was very possible that evil consequences might result to our own possessions. So also the question as to the proportion in which the charge of the expedition should fall upon Indian revenue. The Government had put the matter upon the old point, of the necessity of keeping up our prestige in India; and the present Secretary of State for India and his predecessor in office (Viscount Cranborne), had disputed much on that point in the other House of Parliament; while on the very important point—the most important of all—the means by which the expedition was to be carried out—the noble Earl (the Earl of Ellenborough) had dwelt very strongly. One of the principal points, he might add, for the consideration of the House was, what was the real object of the war? An important paper had been laid upon their Lordships' table some days before bearing upon that point—he alluded to a letter from Lord Stanley to King Theodore, in which he stated that the only means by which the King could preserve his country from war, and his own Power from overthrow, was by delivering up to the British Commander-in-Chief "all the European prisoners." Now, it seemed to him, he must confess, somewhat strange that we should enter upon hostilities for that purpose, and he could not but think that we should be doing quite sufficient if we were to confine our demands to the release of those persons who were British subjects. Again, some of these captives were "specially recommended" to the care of the Commander-in-Chief; but although those words were familiar to him in connection with cattle shows, he could not understand why they had been used in the present instance, and they stood, he thought, in need of some explanation. He would observe that it was important that Sir Robert Napier should have ample diplomatic as well as military power. He should have authority to make a treaty, and to enforce that treaty by arms. As to the question of charging a portion of the expenditure to the Indian Exchequer, he would remind their Lordships that in the case of the Persian War the Ministry then in office, of which he had the honour to be a Member, transferred a part of the charge of that expedition to English resources. Therefore, while he protested against this being called an Indian war, he thought it only fair, under the circumstances, that a part of the expenditure for it should be borne by India. On a former occasion, the noble Earl at the head of the Government declined, and, perhaps, with reason, to give an answer to the question whether our troops should at once be withdrawn if the captives, for whose rescue we are going to war, were delivered up. He thought, however, that on the present occasion it would become the noble Earl to state what were the intentions of the Government in that respect; because if our army was to insist on the release of other persons than British subjects, we might be engaged in war for years to come on account of persons with whom we had nothing to do. On this point it would be as well to bear in mind the remarks attributed to King Theodore as to missionaries from Europe being followed invariably by diplomatic agents, and these again by battalions, and his preference for beginning with battalions.

The Earl of HARROWBY said, he was surprised at the closing observations of the noble Lord who had just sat down. Having incurred so much expense, and run such risk, to send an expedition to Abyssinia, were we to be indifferent to the fate of such European captives as were not our agents? Were the missionaries to be thrown over? If such a suggestion had come from the noble Earl (the Earl of Denbigh), who, in another place, had said he was an Englishman, but more a Catholic than an Englishman, he should not have been so much astonished at it.

The Earl of DERBY: I believe, my Lords, from the discussion which has taken place, that there will be no difference of opinion as to acceding to my Motion; and therefore I should not have thought it necessary to offer any observations in reply, had it not been for the observations of my noble Friend (the Earl of Ellenborough), and those of the noble Baron (Lord Lyveden), who subsequently addressed your Lordships. I must, at the same time, say that between the noble Earl and the noble Baron there seems to be some contradiction of opinion. On the one hand, the noble Baron approves the expedition, but greatly regrets that we are sending troops from India. On the other hand, my noble Friend (the Earl of Ellenborough) regrets the expedition; but, at the same time, believes that if an expedition was to be sent, no other troops were available than Indian troops. My noble Friend is so far consistent; and as to his objections against the expedition, I think they have been answered by the speech of the noble Earl opposite (Earl Russell), who, adopting the very fair course taken by his Colleagues in the other House, states his opinion that the honour of this country would not have been satisfied if we had not entered into this war, from which very little credit is to be derived, but which we have been compelled to undertake, not only from feelings of humanity, but also for the purpose of maintaining the national honour. My noble Friend goes on to draw a gloomy picture of the difficulties which we shall have to encounter, and of the want of preparations. He prognosticates nothing but a series of failures and disasters. But, my Lords, I confess I cannot see any real ground for his apprehensions on the subject. From the first we were aware that if this expedition were decided upon we should have to expect many difficulties in carrying it out to a successful issue; but, at the same time, we did not believe those difficulties to be insurmountable. The noble Earl has drawn a very discouraging picture of the country of Abyssinia, of the dangers to be dreaded from the climate, and of the difficulties of transport; but there is no good reason to believe that when you have once reached the *plateau* the difficulties to be overcome are very greatly diminished. These are questions which have had to be investigated; and they have been investigated hitherto with every prospect of success. Only to-day my right hon. Friend Sir Stafford Northcote received a despatch from the surveying party which contains this statement—

> "We have just returned from a most interesting and important reconnaissance up the pass from Koomoglee to within five miles by road from Senafé, a distance of forty-one miles. There were some very bad places in one part, but the road has been made now by the Sappers easy for passage of cavalry, infantry, mules, and camels; and it will, I think, prove the chief line of route as leading at once to a good position on the highlands of Abyssinia in the direction we have to go, and to a spot within easy reach."

Further on the despatch states—

> "The troops that have landed are, I am happy to say, in excellent health and spirits. The 3rd Light Cavalry have been losing horses from fever, but to-day on my arrival here I was glad to find the disease disappearing. It was clearly owing to the effects of the sea voyage from India, and being cooped up on board ship."

With regard to the climate of Abyssinia—[The Earl of ELLENBOROUGH: I never said a word about climate.] At all events, the noble Earl referred to the water supply. No doubt there is a deficiency of water at Zoula; but there is a considerable supply at some short distance from that place, at fourteen miles distance there is a large and permanent supply, and thence on there is such an abundant supply that there is no reason to think the troops will be in want of this prime necessity. The noble Earl seemed to anticipate some difficulty in the landing of the troops and stores; but every arrangement has been made to facilitate this operation. The noble Earl also spoke of what he considers to be a deficiency in the supply of hatchets, pickaxes, nails and I do not know what; but your Lordships will remember that we have given the Indian Government and Sir Robert Napier—than whom, I believe, there is no one more competent for such a command—full power to get what they may conceive to be necessary for the expedition. We have said to them, "Make your own arrangements. What you require to be supplied from this side of the water we undertake to send to you without delay." A noble Friend near me points my attention to a paragraph in the blue book which the noble Earl seems to have overlooked, comprising a letter from General Turner, Inspector General of Magazines, dated from Simla, in which he says—

> "An ample supply of entrenching tools is required." And he goes on to say—"I propose to send 300 axes, 450 bill-hooks, 750 pickaxes, and other necessary articles, which I collect will supply one-third of the force with a due proportion of blasting tools."

There is an answer to my noble Friend's accusation that we have allowed the expedition to proceed without a proper supply of these articles. Then the noble Earl says our troops are about to traverse 400 miles of country, and that we must provide for keeping up our line of communication, for keeping open the passes, and supporting our advance. Why, we have taken the very precautions my noble Friend says we have not taken, and it is with that very object we are sending out so considerable a force. To prevent our communication from being cut off in traversing such a length of country a large force is necessary, and we have taken this point fully into consideration. I have taken no part in those details; but on behalf of the Departments concerned in them, I take leave to say that never in the case of any expedition has greater care been taken to supply everything necessary for the success of the operations and for the health and comfort of the troops. Throughout, this has been spoken of as a war. I trust it may not be a war at all. It is an expedition undertaken for the purpose of effecting an object which we believe ourselves called upon to undertake by every sense of honour and duty towards those persons, subjects of the Crown, who were sent out upon an official mission, and who are now detained in captivity. I am very sorry that the noble Lord opposite (Lord Lyveden) should raise the question as to any distinction between those who are subjects of the Crown and those who are not. I can only say that according to International Law we are entitled, strictly speaking, to demand the surrender of our own subjects, and that we are not entitled to demand the subjects of other Powers; yet that a discretionary power has been assigned to Sir Robert Napier—I would rather not distinctly specify here what those orders are—for it would be most lamentable if we were to find ourselves compelled to return with our own subjects, leaving in captivity the missionaries and others. We have only the right, as I have said, to demand, according to International Law, our own subjects; but I do trust and hope that Sir Robert Napier, acting under the instructions that we have forwarded, will find himself perfectly capable of rescuing from captivity the whole of those now detained by the Emperor Theodore. I am not aware that there are any other points in the discussion which it is necessary for me to notice. I can only express my satisfaction at your Lordships' unanimous concurrence in the Resolution adopted by the House of Commons.

Motion *agreed to;* and a Message sent to the Commons to acquaint them therewith.

INCOME TAX BILL.

(*The Earl of Derby.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of DERBY: I shall now state very shortly to your Lordships the course which we propose, and which we believe will provide for a very considerable part of the expenditure entailed by the military expedition to Abyssinia. We hope, undoubtedly, that this may not be protracted beyond the month of March next; in which case, according to the best calculations that we have been able to make, the utmost amount which will be required from Parliament will be a sum of about £3,500,000. We do not propose to throw any portion of this sum as a burden upon future years, but to provide, in the first instance, £2,000,000 of the money; and the Resolution by which it was proposed, towards the accomplishment of that object, to make an addition of one penny to the Income Tax was adopted without a dissentient voice in the House of Commons. A penny in the pound of Income Tax is estimated to produce about £1,450,000; but of that not more than £840,000 would come in during the present half year, leaving £610,000 applicable to the service in the next half year. There remains, therefore, a sum of £1,160,000 to be provided for. In the Financial Statement for the present year a surplus of £200,000 was shown, and deducting this from the £1,160,000, a balance of £960,000 remains, which we propose to attain by withdrawing that amount from the balances in the Bank. As these are now unusually high, that course can be adopted without inconvenience. The course which the Government propose in this respect has received the unanimous assent of the House of Commons. I trust, therefore, your Lordships will allow the Bill to be read a second time.

Moved. "That the Bill be now read 2ª."—(*The Earl of Derby.*)

The Earl of ELLENBOROUGH expressed a hope that the advances from the Indian revenue on foot of the present expedition would be promptly repaid, as there had been instances formerly where the payment was by no means rapid.

The Earl of DERBY said, the noble Earl was perfectly right. On one occasion, he believed, they were not repaid for sixteen years. In the present instance, however, arrangements had been made with the Indian Government which, he hoped, would obviate any similar delays.

Motion *agreed to:* Bill read 2ª accordingly; Committee *negatived,* and Bill to be read 3ª *To-morrow.*

ITALY—THE ROMAN QUESTION.

QUESTION.

EARL RUSSELL, who had given notice to ask the First Lord of the Treasury, "Whether he has any Objection to produce the Correspondence with the Government of The Emperor of the French respecting a Conference on the Affairs of Rome," and if there is any objection to produce the Correspondence "whether he will state what has passed on the Subject of any such proposed Conference?" said, the Question of which I have given notice with regard to any Correspondence which has passed on the subject of the proposed Conference I wish to ask, not from any feeling of distrust towards Her Majesty's Government, but from a feeling that, as Parliament will shortly separate, not to re-assemble till the month of February, we ought to have some information about the intentions of the Government on this important subject. We were told some time ago by foreign newspapers that it was intended on the part of the Emperor of the French to invite the Foreign Powers of Europe to a Conference on the state of affairs abroad; and since then we have heard that not only the greater Powers, but some of the smaller ones—the Grand Duke of Hesse-Darmstadt among others—have been invited and have given their concurrence. A report also has recently appeared of a speech by the French Minister for Foreign Affairs, in which he states that he has written to the Government of Italy; and the despatch sums up by saying—

> "We have evacuated Rome. One of our divisions is recalled to France, and the French Government sincerely desires to recall the other division, which is being concentrated at Civita Vecchia. But before the evacuation can be completely effected, the security of the Holy See must be assured. The meeting of the Conference being the basis, the principal element, if it is not the unique element, of that security, the Italian Government have every interest that the Conference should come together at the earliest possible period."

In another newspaper, *The Times,* the matter is stated thus—

> "Before the evacuation could be completely effected, it was necessary that the security of the Holy Father should be guaranteed."

Now, if the Conference is merely to meet and express sympathy with the Holy Father, one does not understand how that sympathy would give him any security at all with respect to his temporal dominions; and, on the other hand, if it is proposed that there should be a guarantee, and that the Powers of Europe should interfere by force, if necessary, in order to secure the temporal dominions of the Pope against all who may attack him—against even his own subjects, the people of the Roman territory—that is a very serious proposition, and one to which, I am sure, no English Minister could assent. I wish to ask the noble Earl, Whether any such document has been communicated to Her Majesty's Government as is said to have been communicated to the Italian Government; and, in fact, what is the position of this country with regard to accepting or declining an invitation to any Conference?

THE EARL OF DERBY: I am sorry to say that I cannot give the noble Earl much information, as the negotiations for a Conference appear to have come to a pause. At all events, as far as this Government is concerned, they have not advanced any further than when I last had the honour of addressing your Lordships on this subject. The question, as far as this country is concerned, stands thus:—My noble relative (Lord Stanley) had answered the French communication to the effect that it would give us very great pleasure to lend any assistance towards putting an end to a very difficult and dangerous question; but, on the other hand, he retained the opinion that it would be useless to enter into a Conference unless before doing so some basis of discussion was brought forward and proposed for the consideration of the Conference, and unless there was also a reasonable probability that the two Powers principally concerned were willing to accept that basis. With regard to the particular despatch addressed by the French Minister to the Italian Minister, I do not believe we have received a copy of it; nor do I know precisely what was stated in any such communication between those two Powers. But the noble Earl knows perfectly well from his own experience that in the present state of the communications it would be impossible for the Government to lay the papers upon the table of the House. There are communications going on between France and Italy on one side, and between France and the Court of Rome on the other; but I am not able to say how far these may have tended to facilitate the meeting of a Conference.

EARL RUSSELL: Am I right in understanding that the Secretary of State for Foreign Affairs has asked what are to be the bases of the Conference, and has not received a satisfactory answer?

THE EARL OF DERBY: My noble Relative has stated that there would be no use in entering into a Conference unless the Powers were furnished beforehand with some basis for that Conference, and unless some reason existed for believing that the two Powers principally concerned would agree to a discussion upon the principle of the basis so laid down.

House adjourned at a quarter past Seven o'clock, till To-morrow, Four o'clock.

* * *

HOUSE OF COMMONS,

Thursday, December 5, 1867.

MINUTES.]—PUBLIC BILLS—*Ordered*—Public Schools; Metropolitan Foreign Cattle Market.

First Reading—Public Schools [24]; Metropolitan Foreign Cattle Market [25].

INTERNATIONAL MONETARY CONFERENCE.—QUESTION.

COLONEL SYKES said, he would beg, in the absence of his hon. Friend (Mr. Ewart), to ask the Vice President of the Board of Trade, What steps Her Majesty's Government are prepared to take with reference to the Recommendations of the International Monetary Conference and the Conference on International Weights, Measures, and Coins held at Paris in June last; and, whether they are prepared to bring in a measure to amend the Metric Weights and Measures Act of 1864, with a view to provide for the verification and stamping of Metric Weights and Measures legalized by that Act; also for the maintenance of Metric Standards in the Department of the Warden of the Standards?

MR. STEPHEN CAVE: Mr. Speaker—The Conference convoked by the French Government was attended by representatives from nearly twenty States. The Master of the Mint and Mr. Rivers Wilson, from the Treasury, attended on behalf of England rather to watch proceedings than to take any active part. The object of the French Government was to give greater extension to the principle of unification of coinage, which had already been established by the Convention of 1865 between Belgium, France, Italy, and Switzerland. Certain abstract propositions were made and discussed and certain Resolutions passed for the purpose of forming a basis of what might become an international system. The French Government, through Prince Napoleon, the President of the Conference, pressed the Commissioners to urge their Governments not to shelve the question, but to institute inquiries, and to name a day upon which they would state their decision, in order that further steps might be taken; and I believe that formal invitations to this effect have been sent to the different Governments. The representatives sent on the part of Her Majesty's Government have made a Report of the proceedings of the Conference, which is under the consideration of the Government, who will doubtless decide whether they will respond to the invitation by advising a Royal Commission or referring the matter to a Select Committee. I am unable to state at present what course will be taken. With regard to the latter part of the question, it would be obviously premature to attempt legislation on weights and measures, pending the Report of the Commission which was re-appointed last year.

VALUATION OF PROPERTY.
QUESTION.

MR. CHILDERS said, he wished to ask the Secretary to the Treasury, Whether the Government intend to re-introduce their Valuation of Property Bill of last Session, or any measure analogous thereto?

MR. HUNT said, the Government thought legislation on the subject would be desirable; but whether they would be able to introduce a Bill this Session would depend to a great extent on the state of public business.

LAMBETH LIBRARY.—QUESTION.

MR. WALDEGRAVE-LESLIE said, he wished to ask the Judge Advocate General, What steps have been taken by the Ecclesiastical Commissioners for the safe care and custody of the Books, &c. in Lambeth Library; and also what arrangements have been made for giving the reading public proper access to that Library? The public were indebted to the Archbishop of Canterbury for the liberal arrangements which he had made; but, at the same time, it was desirable it should be known what the Ecclesiastical Commissioners were going to do.

Mr. MOWBRAY said, in reply, that as the Question had reference to an Act of Parliament passed in 1866, he had better quote the words of the section, which were—

> "Whereas there is in the Palace at Lambeth a Library to which the public have for a long period had access at certain times and under certain restrictions, the cost of the custody and maintenance of which has been heretofore defrayed out of the gross revenues arising from the Estates of the See of Canterbury; And whereas such Estates have now become transferred to the Ecclesiastical Commissioners for England—Be it enacted, that the cost of the maintenance of such Library, and of the custody of the Books therein, may, if the said Commissioners think fit, by the like authority of a scheme passed by the Commissioners and an Order of Her Majesty in Council ratifying the same, be defrayed out of the rents and profits of such estates."

The House would see that the Library at Lambeth remained, as heretofore, the Library of the Archbishop, and the care and custody of the works remained with his Grace. It was not the duty of the Commissioners to take any steps for the care and custody of the books, or to make any arrangements for giving the reading public proper access to that Library. On the 28th of February last the attention of the Commissioners was drawn by his Grace to the provisions of the section he (Mr. Mowbray) had read; and it was then referred to the Estates Committee to consider and report to the Board as to the carrying of these provisions into effect. The Estates Committee consisted of the Earl of Chichester, Viscount Eversley, the Bishop of Peterborough, the hon. Member for East Norfolk (Mr. Howes), and himself. The Committee, having regard to the words of the Act, which throw upon the Common Fund—

> "The cost of the custody and maintenance of the library, heretofore defrayed out of the gross revenues of the archiepiscopal estates,"

felt it to be their duty to fix the amount of future outlay by the Commissioners with reference to the actual expenditure on that account of the present and previous occupants of the See, and they accordingly recommended the Board to pass a scheme for authorizing the payment by the Commissioners of an annual sum not exceeding £150, in order to cover the salary of a librarian, the cost of warming the library, of binding and repairing the books, and of all other expenses incidental to the maintenance of the library and the custody of its contents, but irrespective of the cost of any repairs of the structure itself, proof satisfactory to the Commissioners being afforded of the actual outlay of such amount upon the objects in question. On the 4th of July the recommendations of the Committee were adopted at a meeting of the Ecclesiastical Commissioners. On the 4th of August a communication was received by the Commissioners from the Solicitors of the Archbishop, requesting that the further consideration of the subject might be postponed until November, as his Grace was about to obtain the opinion of Counsel. Since that time the Ecclesiastical Commissioners have received no further communication from his Grace.

POSTAL—AMERICAN MAILS.

QUESTION.

Mr. SEELY said, he wished to ask the Secretary to the Treasury, Whether the National Steam Ship Company (Limited), whose steamers ply weekly between Liverpool, Queenstown, and New York, have, as has been reported, offered to the Post Office authorities to convey the Mails one day in each week to New York at the rate of a penny per half-ounce for letters?

Mr. HUNT, in reply, said, it was quite true that the National Steam Ship Company was one of the Companies who tendered to carry the mails by their ships which sail from Queenstown every Friday, and they offered to take fourteen days for the voyage, under penalties. That offer not being accepted, they made another tender, to take the letters at one penny per ounce in fourteen days, but without penalties—that was taking their own time over the journey. That offer, at first sight, appeared cheap; but it must be remembered that ship-letters were already carried at the rate of one penny per letter, not per ounce. All he could say was, that any letters specially directed to go by the ships of the National Steam Company, or any other Company, could always do so, at the rate of one penny per letter paid to the shipowner.

COMPANIES AMENDMENT ACT, 1867.

QUESTION.

MR. GRAVES said, he wished to ask Mr. Solicitor General, Whether any Rules have been issued by the Court of Chancery in relation to Companies applying to reduce their capital under the Companies Amendment Act (1867) ; and if proceedings can now be taken in the Court of Chancery for enabling Companies to effect this object?

THE SOLICITOR GENERAL said, in reply, that the Judges in the Court of Chancery had not yet found it necessary to draw up any rules relating to companies applying to reduce their capital under the Act in question, but proceedings could nevertheless be taken, and in the Court of one of the Vice Chancellors actually had been taken, for such a reduction of capital. The course adopted was this :—The Judge ascertained, as far as was practicable, the position of the Company and the amount of its debts. He then fixed a time within which creditors were invited by advertisement to state whether they consented or objected to the proposed reduction. At the expiration of this time, the Judge required to be satisfied that the debts of all those creditors who had not consented had either been paid or properly secured. When this had been done, but not before, the sanction of the Court was given to the reduction of the capital of the Company.

TRIBUNALS OF COMMERCE.

QUESTION.

MR. W. E. FORSTER said, he wished to ask the Vice President of the Board of Trade, Whether the Government intend to bring in a Bill during the present Session for establishing Tribunals of Commerce?

MR. STEPHEN CAVE : No, Sir. The Government have no such intention. The Royal Commission appointed in September last to inquire into the various Courts of Law and Equity is directed to ascertain, among other things, what charges and improvements may be made "by assigning any matters or causes now within their respective cognizance to any other jurisdiction." It is clear, therefore, that Tribunals of Commerce are within the scope of the inquiry. A Committee of this House sat in 1858 on this subject, and took some valuable evidence which they merely reported to the House. The Mover and Chairman of that Committee, the hon. and learned Member for the Tower Hamlets, is a member of the Royal Commission, and will no doubt have opportunities of stating the arguments in favour of these Tribunals. It would not therefore, I think, be expedient, pending the Report of the Commission, to introduce a measure for effecting so great a change in the law of England, with respect to which there is, among practical men, so great a divergence of opinion.

CHAMBERS OF COMMERCE.

QUESTION.

MR. W. E. FORSTER said, he would now beg to ask the right hon. Gentleman, Whether the Government intend to issue any Regulations informing Chambers of Commerce how they can make use of the 23rd section of the Companies Act, passed last Session?

MR. STEPHEN CAVE : Yes, Sir, the Board of Trade have nearly completed a form of procedure which they think best fitted for this object. It consists of a draught memorandum of association, and draught articles of association, which will, with an explanatory letter, be printed, and sent to the various Chambers of Commerce, and which will, without binding the Board of Trade or the Chambers to every detail, serve, I think, to indicate generally the course which should be adopted. If the Chambers enrol themselves as Associations limited by guarantee, instead of as Companies limited by shares, they will avoid expense and trouble, and sufficiently distinguish themselves from Trading Companies.

ABYSSINIA—THE FOREIGN OFFICE.

QUESTION.

MR. WYLD said, he would beg to ask the Secretary of State for Foreign Affairs, Whether his attention has been called to an article in *The Morning Post* of Saturday, November 30, in which the Assistant Under Secretary of State is charged with malversation of office, and also with levying toll from every officer in the Foreign Service of Great Britain ; and, whether there is any foundation for these statements?

LORD STANLEY : Sir, I have seen the article to which the hon. Member refers, and I am very glad that by putting his Question he has enabled me to notice it in this place. The statement that the Assistant Under Secretary of State levies tolls from officers in the Foreign Service—meaning, I suppose, the Diplomatic and Consular Service—is simply and absolutely without foundation. If it has reference, as I suppose it has, to the system of agency which still continues in the Foreign Office, the answer is that Mr. Murray ceased to hold any agency when he became Assistant Under Secretary. He derives at present no emoluments whatever from his official position except his salary; and I must say I am surprised that charges gravely affecting the character of a public servant, who has no opportunity of defending himself personally in this House, should have been made in a respectable journal without some previous care being taken to ascertain their truth. As to the other charge which is called in the Question, and also in the article, "malversation of office," I suppose by this is meant the alleged keeping back of papers from the head of the Department. That allegation is founded, I suppose, upon a statement made in a recent debate by the hon. Member for Southwark (Mr. Layard), formerly Under Secretary for Foreign Affairs; and on that point he would perhaps himself wish to give an explanation. All I can say is that, on referring to the paper in question, I find that the despatch enclosing that paper bears upon it a minute in the handwriting of Lord Russell. Lord Russell therefore must have seen the covering despatch; he must have been cognizant of the existence of the enclosure, and, of course, it would be optional with him either to read it or not. As far as my experience goes, no such practice exists as that of keeping back papers from the head of the Department. Every paper of any importance, every paper that is not of a merely routine character, every paper upon which any decision is to be founded, or any action to be taken, comes under the personal notice of the Secretary of State.

Mr. LAYARD: I wish to say a word or two by way of explanation.

Mr. OSBORNE: If there is to be any discussion upon this point, I hope the hon. Gentleman will conclude with a Motion.

Mr. SPEAKER: The hon. Member for Southwark desires to make a personal explanation, and under these circumstances a statement is generally allowed.

Mr. OSBORNE: Then I shall wish to say something upon the explanation.

Mr. LAYARD: I am not going to refer to the general question of Abyssinia. I was going to say that Mr. Murray's character stands much too high to be affected by any such charges as those referred to in the Question. There seems, however, to have been some misunderstanding as to what fell from me the other evening. I stated in the debate that I could not recall to my recollection that I had ever seen the letter of King Theodore to the Queen, and that when I asked Lord Russell he could not distinctly remember whether he had seen it or not. In mentioning that, I did not intend to make any reflection upon the Under Secretary of State, or any officer in the Foreign Office, but merely to show how little importance was attached to the matter. I have been to the Foreign Office today, and have refreshed my memory on the subject. What the noble Lord (Lord Stanley) states is perfectly true. On the covering despatch which was sent to Lord Russell there is a minute in his Lordship's handwriting directing the correspondence to be sent to the India Office, which was the usual and ordinary course taken in all matters relating to Abyssinia. I do not appear to have seen that despatch. The first minute, to which I have alluded, is dated on the 11th of March. On the 9th of March a despatch was received from Mr. Consul Cameron, giving an account of his detention as a kind of prisoner at Axum. That despatch was sent to Mr. Hammond, Mr. Murray, Lord Russell, and myself. We all four wrote a separate minute, stating our conviction that unless Mr. Consul Cameron was at once directed to cease from meddling with Abyssinian affairs and was recalled to Massowah grave consequences would ensue. I did not see the first despatch, and I do not know why. But the explanation is probably this:—The permanent and the political Under Secretaries have two distinct offices. That is the custom I found existing, and I presume it is so still. There is a division of the countries of the world. Half are taken by the permanent, and the other half by the political Under Secretary. It happened that all Eastern matters were in the department of Mr. Hammond, and not in my own. This despatch was therefore sent to Mr. Hammond, and by him to Earl Russell. It came back, and was probably sent to the India Office; and that is the reason why I did not see it. If I had seen it, taking as I do a certain interest in Eastern matters, the fact of seeing a letter in Amharic would certainly not have escaped my recollection.

Earl Russell appears to have seen the covering despatch, but he considered that the letter did not require an answer, as an answer had to all intents and purposes been sent already, and the despatch was consequently forwarded to the India Office for any observations that Department might have to make upon it. The India Office seem to have been of the same opinion, and there the matter rested.

MR. OSBORNE: If this, Sir, were a mere common Question, I should not have interfered. But it is no common Question; and as I desire to say something upon it, I shall conclude with a Motion. This omission at the Foreign Office has probably plunged us into a war, and a war of the most expensive and uncertain character. The more I look into the question the more I doubt the policy of the expedition, and the more I am convinced of the great bungling—to use a light word—which has taken place at the Foreign Office while my hon. Friend was Under Secretary. The House of Commons has been called together at an extraordinary time of year for an extraordinary purpose; and as to the House of Commons, after reading the discussions that have taken place and the papers that have been produced, nobody can say that it has not exhibited the greatest docility, almost amounting to stolidity, in treating this question. What have we had? We have had meagre information and rough Estimates, and we are actually embarking in a foreign expedition without knowing the cause of the war, and on information which would hardly suffice to justify the passing of a Turnpike Trust Bill. I was much struck with an answer given by the Secretary of State for India the other night. He was asked a question about condensers. He knew nothing upon the subject, and referred to the Governor of Bombay. It comes to this—that we have for the occasion appointed the Governor of Bombay as Secretary for War. Everything is thrown upon his shoulders. He conducts the expedition, and any questions put here must be telegraphed to him before we can obtain any satisfactory explanation. I want to know whether the House feels satisfied with the policy of this expedition? For myself, after looking further into these papers, I firmly believe that we ought to have sent no expedition at all, but that we ought to have adopted the suggestion of Sir Samuel Baker and sent an Envoy, with a very large staff, exhausting every diplomatic means before rushing into the expenditure of millions. We have done nothing of the sort; we have sent out this expedition; and, with all due deference to the character of Sir Robert Napier, I take upon myself, backed up by a great many military men, to doubt the policy of sending such an enormous army to those regions. Well, what are we about to do? We talk of sending 12,000 men. But what do 12,000 men represent? I am told they represent between 35,000 and 40,000 people—to be sent to a country where food is notoriously scarce and water almost unattainable. Why, the supply of water to these 40,000 men will depend on three condensers:—and I believe there is only one there now. Now, I ask, is the House going to separate with an expression of satisfaction at this state of things? Sir, I feel very sure that if you are to send an expedition out at all, you ought to send it on a smaller scale. What was the army that conquered Scinde under another Napier? Why, it was under 2,800 men: and we are sending out 40,000 people to Abyssinia! a country that we know little or nothing of, when, as I believe, if the advice of Sir Samuel Baker had been taken, you could have rescued the captives at a cheap rate. So much for the policy and size of the expedition. I think the House has too much slurred over the question of the policy and cost of the war. Can it be believed that the Foreign Secretary could come down to the House and make such a speech as to the letter from King Theodore, whom, mark you, we had recognised—

MR. SPEAKER: The hon. Member's experience of the House must tell him that it is not competent for him to enter into a past debate, or to discuss a speech in that debate on moving the adjournment of the House.

MR. OSBORNE: I am not discussing a speech, but papers which appear in a blue book, and what, I wish to know, has become of the letter King Theodore sent to the Foreign Office? That letter is important, because the postage of it will come to millions, which we shall have to pay. I want to know what has become of the letter? The hon. Gentleman (Mr. Layard) says he never saw it; the Secretary for Foreign Affairs never saw it; and an answer was not sent until fifteen months after—[An hon. MEMBER: Two years]—but nobody knows by whom, and we are now plunging into this expedition. But there is another question. When this House was formerly cautioned not to get up any debates on Abyssinia because they would be reported to King Theodore, and would put the fate of the captives in peril, I want to know why that despatch of the 5th of October, 1865, was published in *The London Gazette?* That *London Gazette* was sent out; the despatch asking Mr. Rassam to get rid of the Abyssinian alliance became known to King Theodore; and of course the King thought himself deceived, laid hold of Mr. Rassam, and from that day that gentleman has been in durance vile. If we had a Committee to inquire into this subject, the blunders connected with the expedition would appear to be so great that I am sure some hon. Gentleman would get up and move the abolition of the Foreign Office. If we had no Foreign Office we should have had no war, because we should have had no letters from Theodore, no publication of despatches in *The London Gazette,* and those unfortunate captives never would have been detained. Now, I do hope—though this is but the skeleton of a House, and we seem inclined to vote anything for the expedition—that the attention of the country will be called to this question. I have taken this opportunity of saying a few words upon it because I may not have another. I think the whole matter has been passed over almost *sub silentio.* I make no attack upon Her Majesty's Government, though I doubt the policy of going to war; but I say that the explanations given by a former Under Secretary of State have been most unsatisfactory to the House, and I believe they will be unsatisfactory to the country. I beg to move the adjournment of the House.

Colonel SYKES, in seconding the Motion, said, that in justice to a gentleman who, he believed, was charged with being the culprit as regarded the detention of this celebrated letter, he begged to state the circumstances under which that letter was received in the Political Department of the India Office. It was sent over to the India Office simply to look at, for their information, and seemingly as an Amharic curiosity, and when it came into the hands of Mr. Kaye, the head of the Political Department, he placed it on his table, supposing he had nothing whatever to do with it. He thought that the letter had been already treated by the Foreign Office, and that the India Office had no responsibility whatever with regard to it, as it was not accompanied by any memorandum. It was said that Mr. Kaye had not got a pigeon-hole, and that the letter thus became mixed up with other papers. But he (Colonel Sykes) had it this evening from Mr. Kaye that the letter remained on his desk unnoticed, until some person from the Foreign Office came to him to ask about it, and he replied, "There it is on the table; I have had nothing to do with it. You can take it away. I took it for granted that it had been answered before it was sent to me." Now, the fact of that letter not having been so answered had been the chief cause of the war. When King Theodore sent that letter by Mr. Cameron he did it in amity and from an anxious desire to obtain the goodwill of Great Britain. But what did Mr. Cameron do? Instead of going to Massowah or bringing home the letter, as he was desired, he went into the province of Bogos, and thence to Kassala, a province that had been wrested from the Abyssinians by the Egyptians, and from which yearly raids had been made by the latter into the province of Bogos for the purpose of carrying off women and children. He had put into the hands of the noble Lord the Foreign Secretary an account of a raid in which 300 women and children were captured there and sent to Medina and Mecca, where they were sold as slaves. It was said that our Consuls in Arabia were cognizant of those raids, and these acts caused the hatred and resentment of Theodore against the Egyptians. What could the King think when he found that the Consul who had charge of the letter to the Queen had gone into this province, whence these outrages were periodically committed? When Mr. Cameron returned to Abyssinia, instead of avoiding the King, he went into his camp; and when the King asked him where he had been, he said, "In the province of Bogos." "Ah," said the King, "but you went also into the province of Kassala, to my enemies. What did you want there?" "I went," said Mr. Cameron, "to inquire about cotton for the Foreign Office." "So then," said King Theodore, "you have had communications with the Foreign Office, though you told me you could not get an answer to my letter. Well, then, you shall stay with me until you do." That was another instance in which the King had occasion for distrust, and believed that he had been ill-treated, and that his friendship was repudiated by us. Again, the Abyssinian Convent in Jerusalem, which had been under the *quasi*-protection of our Consuls, was taken away from the Abyssinian monks by the Turkish Governor under the eye of our Consul, and the King's inference was that we had allowed it to be done. With regard to the King's letter, it was, he believed, three years nearly to a day before he got an answer; another mistake was the detention of the Queen's presents conveyed by Mr. Flad at Massowah, instead of taking them to the King. Well, we have the result of a series of bungling, and, as his hon. Friend had said, the postage of that letter would probably cost us £5,000,000. He was glad that the country was beginning to look at the matter with a different eye from what it had done when the question was first brought before the House. The prospect of an additional 2*d.* in the pound at the next payment of the income tax would not be very pleasant, and we should probably hear more about it. Theodore was a bloody tyrant, no doubt, but he knew very well what he was about; indeed, he had the credit of being an able man. It was an absurdity to talk of our prestige suffering! He had said before, and he repeated it now, that there was not one man in 10,000 or even 100,000 in India who ever heard of the existence of Abyssinia. How, then, was our prestige to suffer? Moreover, when it was said we had an important trade below the Abyssinian Ghauts, it should be remembered that the whole of that tract of sea-coast was not in the hands of the Abyssinians, but of the Mahomedans, whom the Abyssinians hated. The little trade that there was came from Bombay to Mocha and Jiddah, and the Arabs carried it over to Massowah, and there was not any direct trade from India to Abyssinia. There had been an unjustifiable mystification on this subject. Again, as to Mr. Rassam, he did not hesitate to say that that gentleman was not a proper person to send to represent the Queen of England. He had been the servant of his hon. Friend the Member for Southwark. [Mr. LAYARD: Oh!] The fact was mentioned in the first volume, page 54, of his hon. Friend's book on Nineveh, where Mr. Rassam was spoken of as being employed to superintend the hon. Gentleman's domestic arrangements. Could he have been a proper person to send? Moreover, his hon. Friend must have known that Mr. Rassam was not even a British subject, but was a subject of Turkey—to which power the Abyssinians were extremely hostile. If sent at all, however, it ought to have been either as a mere agent to negotiate the release of the prisoners, or an Envoy, with an escort of a squadron of cavalry. It was to these blunders we should owe this unhappy war—for such it was likely to be; unless, indeed, the King of Shoa, by taking Magdala, enabled us to avoid it. Shoa was the southern province of Abyssinia, and the present King Menelek was the grandson of the King, to whom Major Harris had been sent as Ambassador from Bombay in 1841-2. Theodore had conquered his father, and imprisoned him and himself in Magdala; but he had made his escape, and rallied his people, and was holding his own against Theodore, and had sent a letter and presents to the Queen. When speaking of imprisonment, we naturally associated it with an idea of Newgate—long, dark passages, gloomy cells, and all that kind of thing; but the fact was that this prison at Magdala was a large mountain with a flat top. Mr. Rassam, as he himself told us, had a garden attached to his house and had a bower in front of his door of Tomates. There was no need, therefore, for us to be shocked with the horror of dungeons. No doubt it was very disagreeable not to be allowed to go where one liked, and to the indignity of fetters on the ankles; but this was partly owing to Mr. Rassam himself. The moment the King received the Queen's letter he was all hilarity and thankfulness, and released all the prisoners; but Mr. Rassam endeavoured to get some of them out of the country without their having an interview with the King, and then ensued the extraordinary scene he had described on a former occasion. He could not help believing that our proceedings were to be lamented, both as a political question and as they affected the national finances.

Motion made, and Question proposed, "That the House do now adjourn."—(*Mr. Osborne.*)

MR. OTWAY said, he did not intend to discuss our Abyssinian policy on this occasion, though he had formed a strong opinion upon it; but wished to ask for information on two points. Great stress had been laid on a letter from King Theodore to Her Majesty not having been replied to. Now, he wished to inquire whether on any former occasion — especially during 1858 — Theodore addressed any other letter to the Queen, and whether, if so, it received any reply? A second Question, which was one of some importance, he would address to the Secretary of State for India. The right hon. Gentleman had stated that with regard to the numbers of the expedition we had entirely depended on the high authority of Sir Robert Napier, and this seemed on the face of it very satisfactory. It appeared, however, that the expedition was being carried on under the auspices, not of Sir Robert Napier, but of the Governor of Bombay, the Governors of Bombay and Madras having supreme authority over their Commanders-in-Chief. Sir Robert Napier, as he understood, was in military matters a mere cipher, and could take no step without the consent of the Governor in Council. There was therefore this anomaly—an expedition was being carried on at a distance from this country by a gentleman of undoubted talent, whom he was proud to call his friend, but of whose military genius nothing was known, since he had had no opportunity of displaying it. Thus the large Staff and the troops and camp followers had been decided by the Governor of Bombay, with whom a large portion of the expenditure rested. No doubt he would study economy, for the sake both of English and Indian taxpayers; but a man in Sir Seymour Fitzgerald's position would naturally be anxious to insure success by the despatch of a large force. Now, in the belief of high military authorities, the large numbers of the expedition would entail its failure. How were 55,000 men to be supplied with food and water? [An hon. Member: 40,000!] He had seen the numbers computed as low as 40,000 and as high as 55,000; but, taking them at 45,000 — and the troops had increased from 10,000 to 12,000, and would probably further increase—neither the three condensers nor any other expedient that could be devised would suffice to supply water to such a force. The Government, indeed, had published a letter from a Belgian diplomatist, which was curiously referred to the other night by the right hon. Member for Calne (Mr. Lowe), and which stated that the greatest danger attending an English expedition was its being composed of any large numbers. It also stated that King Theodore could not put 500 or 1,000 men in line, and that it was not possible for him to oppose 500 British soldiers. Moreover, successful Eastern expeditions had invariably been carried on by small numbers. The expeditions against Burmah, China, and Scinde were instances in point. A totally different policy was now, however, being pursued, and this under the auspices of a civilian, and in opposition to the opinion of men like Sir Samuel Baker and others personally acquainted with Abyssinia. He hoped the right hon. Gentleman would state whether the Governor of Bombay was not Commander-in-Chief in that Presidency, and whether Sir Robert Napier was not entirely subordinate to him in military matters?

Mr. NEWDEGATE said, that as a Motion of Adjournment had been made for the purpose of securing greater freedom of discussion, he hoped the House would allow him to refer to what occurred a few nights ago with reference to the hon. Member for Southwark (Mr. Layard), whom he was glad to see in his place. It would be in the recollection of the House that he then called attention to certain expressions reported as having been used by the hon. Gentleman in a former debate respecting Dr. Beke, having previously written to him in order that he might be prepared to substantiate the reflections he had cast on that gentleman, calculated, as they were, seriously to injure him in his position and prospects. The hon. Gentleman had since thought fit to send a letter to *The Times*, addressed to himself, commenting upon the remarks he had made, and also commenting on the conduct of the House, as having assented to what he (Mr. Newdegate) had said as to the remarks made by the hon. Member for Southwark, which appeared to him to have exceeded the proper limits of debate. Now, he wished to thank the hon. Gentleman for the obliging expressions he had used towards himself; but the House having consented, at his instance, to consider the nature of the imputations cast on a gentleman who was not a Member of that House, it was their function to decide on the propriety of the language the hon. Gentleman had used and the imputations he had cast, mostly unsupported by any evidence whatever, and to consider whether there was not a danger of the House being rendered, if such language was permitted, the vehicle of baseless and unproved slanders. He (Mr. Newdegate) was putting the case strongly, but many hon. Members felt as strongly as himself, and one had already asked whether, in case of the use of such language, it would not be consistent with the practice of the House to have it taken down by the clerk at the table? To that inquiry no answer had been given. Although he (Mr. Newdegate) had no intimation that the hon. Gentleman intended to return to his place until he entered the House, yet, as a proof that he (Mr. Newdegate) was acting in the spirit of the letter he had addressed to the hon. Gentleman, he would now ask whether he was prepared to justify the language reported to be used by him, and which had been heard by many Members of that House, or whether he was prepared to prove the allegations of falsehood and dishonour which he had made against Dr. Beke? In the answer which the hon. Gentleman sent him he referred to many facts of which the proofs were not before the House in the printed documents furnished by the Foreign Office, and if the hon. Gentleman now attempted to justify the gross imputations—for he must so term them—which he had cast upon Dr. Beke by referring to documents which were in the Foreign Office, he was bound to move for the production of those documents, and if the hon. Gentleman did not move for them, he (Mr. Newdegate) would do so himself.

Mr. LAYARD: After what has fallen from my hon. Friend behind me (Mr. Osborne) I trust the House will allow me to say a few words. I have no intention or wish to raise another Abyssinian debate—we have had quite enough of them; but really it is important that the House and the country should know the truth about this letter, of which so much has been said. I repeat that the fact that no answer was returned from this country to the King's letter has had nothing whatever to do with the war. Whose evidence will my hon. Friend accept? Will he accept the King's own statement—the statement of Mr. Consul Cameron, or the statement of Mr. Flad? They are the three persons who are the most interested in the matter. A thousand reasons have been assigned for the King's anger. We have been told to-night that it is on account of the proceedings of Her Majesty's Consul at Jerusalem with regard to the protection of the Abyssinian Church there. Has the King himself assigned this reason? Another person states, on the authority of Dr. Beke, that it was because of the publication of Lord Russell's despatch in *The London Gazette*. Dr. Beke, however, states in his own book that that had nothing whatever to do with it. His own statement is that it was on account of our change of policy towards Abyssinia, and that if we had gone on supporting the King in his policy of going to war with the Turks we should have had no quarrel with him. But these causes have never been assigned by the King himself, nor by anybody connected with him. I think it is only just and fair towards the Foreign Office that this should be known. Here is the King's own statement of the cause of his anger, which will be found in the third blue book in Mr. Rassam's despatch of January 10. Mr. Rassam sends a translation of the charges made by the King in writing against Consul Cameron. He said—

> "I told the Consul that the Turks had taken my country and were my enemies; nor had I a ship to do my work, by the power of God, and I said that I wished that the mission and presents which I intended to send to the Queen should be conveyed safely. I gave him a friendly letter to the Queen, and sent him away. The letter which he brought to me (from the Queen) and the consultation which we had together he abandoned, and went to the Turks, who do not love me, and before whom he insulted and lowered me. I asked him, 'Where is the answer to the friendly letter I intrusted you with? What have you come for?' He said to me, 'I do not know.' So I said to him, 'You are not the servant of my friend the Queen, as you had represented yourself to be,' and by the power of God I imprisoned him. Ask him if he can deny this."

Now, let us see what Consul Cameron himself states. In the same blue book there is a letter from Mr. Cameron to Mr. Hammond, dated March 16, 1866, in which he says—

> "This morning the King sent a letter containing the charges against us. Those against myself are as follows:—1, Instead of going to Massowah, after my first visit to His Majesty, I went among the Turks, who were his enemies—(namely, to Kassala), I suppose as being in the Egyptian territory, as he considers that his quarrel with the Turks is limited to Egypt, and has nothing to do with Turkey; 2, I abused him while there; how is not known; 3, after returning to his dominions I could give no account as to whether there was an answer or not to his letter to Her Majesty."

Now, what was Mr. Flad's account? Writing to Lord Clarendon, he says the King thus stated his grievances—

> "Captain Cameron I had imprisoned because he went to Kassala to my enemies, the Turks, and I had given him a letter for the Queen, and he came back without bringing me an answer."

["Hear!"] Yes; but the distinction is a very material one. The King does not complain that he did not get an answer to his letter, for he did not know whether there was an answer or not; but that Mr. Consul Cameron, instead of going to Massowah, and there waiting to bring up the answer, had gone to the Turks and come back without bringing any news of an answer. Now, I have been asked, whether in April, 1858, when Lord Malmesbury was at the Foreign Office, a similar letter was not received from the King, and to which no answer was returned? The fact is, as I stated the other evening, that in April, 1858, a similar letter was received by Lord Malmesbury and no answer was ever returned to that letter. [Mr. OSBORNE made a remark.] It was in consequence of these interruptions that I was made the other evening to say things which I now regret. The hon. Member does not like to be interrupted himself, but he is in the habit of constantly interrupting others. I was going to say that we had already answered the King's letter most distinctly. Lord Clarendon, in Mr. Plowden's time, had written to him to tell the King that only on one condition would we receive his Embassy, and that was that he should give up the intention of making war on the Turks. Consul Cameron, as he himself states, positively told the King the same thing. Yet, in the letter from the King which he forwarded to England, the King stated that he was going to attack the Turks, and insinuated that he expected us to assist him, as he had no ship on the sea-coast. The King having been told over and over again that we could not receive an Embassy from him unless he gave up his intention of attacking the Turks, it was quite evident that the letter which distinctly stated his own intention of infringing this condition, required no answer. Mr. Cameron had been ordered to return to Massowah. His *exequatur* was for Massowah; that was the head-quarters of his Consulate, and it was in the Egyptian and not Abyssinian territory. To that place we fully believed he had gone, and whether that letter was answered sooner or later did not signify. We did not want him to go up again to Gondar; we wanted him to remain at Massowah, and to have as little as possible to do with Abyssinian affairs. As soon as we heard of his proceedings in Abyssinia, every member of the Foreign Office — Lord Russell, in the first instance; Mr. Hammond, who is, perhaps, more intimately acquainted with Foreign affairs than any man in this country; Mr. Assistant Under Secretary Murray, a gentleman of great distinction and ability; and myself—all wrote minutes almost in the same words, stating our conviction that if Captain Cameron went into the interior and mixed himself up with the affairs of Abyssinia this country would be brought into trouble. We sent him three times the most stringent instructions to return at once to Massowah. What more could the Foreign Office do? [An hon. MEMBER: Why did you not dismiss Captain Cameron?] Suppose we had. At that time he was in the hands of the King, and his dismissal would not have reached him. Besides, it is not easy to dismiss a man summarily and without asking him for some explanation. I do trust that this House and the country, who are fair and impartial in these matters, will take these things into consideration. What has been said about Mr. Murray suppressing a letter is entirely beside the question. Mr. Murray has not the power of suppressing a letter—the course of proceeding in the Foreign Office renders it impossible for any one to suppress a letter—and Mr. Murray, not only in this matter but in every other way, acted up to his duty. If hon. Members will refer to Consul Cameron's own despatch, they will find that the letter to which no answer was returned appears almost to have been extracted from the King by the Consul, as will appear from a subsequent paragraph in his despatch. Consul Cameron says—

> "I wrote to the King to remind him of his promise to write to Consul General Colquhoun, and of all the advantages which such a letter would be to him."

After the distinct instructions Consul Cameron received, I ask, are we to blame if he entirely violated those instructions? We were powerless. If he had been within reach of the telegraph we could have stopped all these proceedings. But we knew nothing about him or where he was. Now, with regard to Mr. Rassam, who is at present a captive in the hands of King Theodore and whose life may be sacrificed any day. The hon. and gallant Gentleman (Colonel Sykes) says that he had been my servant. Nothing can be more unfounded. Mr. Rassam is a gentleman by birth and education. He is a brother of Her Majesty's Vice Consul at Mossul. I have had great experience of Easterns, and I never knew an Eastern so thoroughly unselfish, honest, upright, and able as Mr. Rassam. He was my friend for some years. I never could have paid him for his services to me. He served me with zeal and ability which no words of mine can describe, and to say that he was my paid servant—why, the thing is absurd. As to his not being a proper person to send, I will challenge any person to prove that he was not. The choice was very limited. There were only two or three persons whom it was possible to send. Mr. Rassam was Lieutenant Governor of Aden; he had been employed in a most delicate diplomatic mission to the Imaum of Muscat, and settled the disputes between the heirs of that Principality and received the highest commendations from the Indian Government; he had been employed on many other missions, and was thoroughly well-known on the borders of the Red Sea where his personal influence over the natives and Arabs was so great that he was enabled to bring into order all those turbulent tribes round Aden, who had before kept that place in a state of siege. Before his arrival no Englishman was able to go beyond the gates of Aden with safety; but Mr. Rassam used his influence with the natives so powerfully, that he took Sir William Coghlan through a great part of the most difficult portion of Arabia. Mr. Rassam was of all others the man whom I should have chosen for a mission of this kind. He was not chosen from any relations he had had with me—those relations expired many years ago. He had since distinguished himself in the East. It is said that because Mr. Rassam was a Turkish subject he was therefore unfit for the mission; but the Patriarch of Abyssinia is always chosen from among the subjects of Turkey in Alexandria, and therefore, as regards Mr. Rassam's nationality, there was no reason why the King should make any objection to him on that ground. I regret that the hon. and gallant Member for Aberdeen has passed some jokes as to the captivity of Mr. Rassam. These unhappy captives have suffered a great deal; but Mr. Rassam, although he is chained, retains the King's personal friendship, and the King has always shown him the greatest kindness and consideration. The King tells him he regrets to treat him so harshly, but that he is obliged to do so in order to retain him as a hostage. I have the utmost confidence that if Mr. Rassam lives to return to this country, he will be able to give the utmost satisfactory explanations of all the circumstances connected with his mission in Abyssinia. I now come to the personal question brought before the House by the hon. Gentleman opposite (Mr. Newdegate). I do not object to his having done so. On the contrary, I think that he was quite justified in the course he has pursued, and I regret that, not having received his letter, I was absent from my place on Friday evening. After I had described in my speech of last Tuesday evening the impression which Dr. Beke's communications to the Foreign Office had made upon me, I had done with that gentleman, and had no intention of alluding to him any further, but I was driven to do so by the constant interruptions of my hon. Friend behind me.

Mr. OSBORNE: I never said a word about Dr. Beke.

Mr. LAYARD: Why, the hon. Gentleman was constantly saying to me, "Why did you not send Dr. Beke?"

Mr. OSBORNE: I never said a word on the subject.

Mr. LAYARD: Well, then, it was somebody else. At any rate, I felt it was my bounden duty to tell the House the truth, and though I may occasionally have said things which had better have been left unsaid, yet I think this House will not accuse me of any want of frankness. I may, indeed, have used too strong an expression, and if the House thinks it ought to be retracted, I will retract it willingly, though I shall still adhere to the opinion I have formed of Dr. Beke, because I think he has systematically made statements without any foundation whatever. I repeat that that is my opinion. And here I may remark that I should not have taken notice of Dr. Beke but for the unusual circumstance that letters abusive of myself and others sent by him to *The Times* and *Morning Herald* were republished in the blue book, together with a letter, dated the 11th of June, 1866, containing allusions which ought not to have been placed before the House in this solemn manner without opportunity of further explanation being given. I accede to the request of the hon. Gentleman opposite (Mr. Newdegate), and shall move for the production of the Correspondence which led to that letter being written. Dr. Beke, I beg leave to remind the House, charged me with having wished to leave Mr. Stern in captivity, because I had had a personal quarrel with that gentleman some years before. Moreover, he stated that he had been informed by Mr. Palgrave that instructions had been sent out to the effect that the liberation of Consul Cameron alone, and not of the others, was to be asked for. Both these statements were totally untrue. I never had any quarrel with Mr. Stern. I believe I once met him at Bagdad years and years ago, but I certainly never had a word of difference with him. But what would any hon. Gentleman say if he were deliberately accused of having abandoned this unhappy man because he had had a personal quarrel with him many years ago? Then, there were two accusations brought against Mr. Rassam, Her Majesty's Envoy, a man who is at present in captivity, and who has few friends in this country to defend him. In the first place, he is accused of misapplication of public funds. I know it is said that the terms of Dr. Beke's accusation do not mean that; but I would ask any impartial man whether it be not evident, from the expressions made use of, that what Dr. Beke meant was, that Mr. Rassam had misapplied this money? ["No, no!"] Well, if that be the general opinion of the House, I will retract what I have said; but I must remark that there is not a friend of Mr. Rassam's in this country, nor any impartial man to whom I have shown the words used, who does not put the same construction upon them as I do. Mr. Rassam is also accused of cowardice in not going up to Gondar at once, and for not remaining in Abyssinia as a hostage for the liberation of the other prisoners. Now, the first accusation is groundless, for Mr. Rassam acted upon the instructions and upon the urgent advice given to him by Consul Cameron, who said, "Do not move from Massowah, and do not come up with the Queen's letter till you have received the King's invitation. If you come up without an invitation, and without the King's sanction, your own life and the lives of all the others will be imperilled." Such was the advice given by Consul Cameron to Mr. Rassam—and, in point of fact, there is nothing whatever to prove the charge brought against the latter. As to the other charge, I believe that there is not the slightest foundation for it. I have here a list of statements meant to be detrimental to my own character, to Earl Russell, and to Mr. Rassam, but I will not trouble the House with them. If I have made use of any term which is un-Parliamentary, I shall be most happy to withdraw it; but I must say that such an attempt to destroy the character of an honourable man like Mr. Rassam I never before saw in the course of my life. But I leave the House to pass its judgment on what I have said respecting Dr. Beke's book, and what the statements contained in it are worth. Another charge against Mr. Rassam is that he ought not to have received money from the King, and that he therein acted contrary to the rules followed by all previous Envoys. But Consul Cameron himself states in one of his despatches that he could not get his own interpreter to interpret a refusal of money which had been offered to him, and that Mr. Plowden had been always placed in the same difficulty. Mr. Rassam's object was to stand well with the King, and he found that a refusal of the money would have been regarded by Theodore as an insult. That money, I believe, has probably been retaken from him, as it appears that the King has more than once taken all his property. It might not be out of place to mention that most of the missionaries were not even British subjects, but Germans, and yet all these men were supported by Mr. Rassam, who did all he possibly could to get them released. I think I need not trouble the House further, as I trust that the explanation which I have already made will be to a certain extent satisfactory. I repeat that if on a former evening I used any expression which is un-Parliamentary, I shall be willing to retract it; but I must beg that the House will make some allowance for my own feelings on that occasion. I was labouring under considerable irritation, for I felt that I had been most unfairly dealt with, and my anger was very much raised, not for my own sake, but by the unjustifiable and unfounded attacks made upon a man who was not in this country to defend himself, and who had no friend but myself in this House to speak up for him.

Sir GEORGE BOWYER congratulated both the Mover and the Seconder of the Motion for the adjournment on their able speeches; but regretted that those speeches had not been made earlier, when this question was brought under the notice of the House by the right hon. Gentleman the Chancellor of the Exchequer. A good many hon. Members, including himself, entertained considerable doubts about this war; but what could they do when they found that the Leader of the Opposition and his supporters on the front Opposition Bench endorsed everything which had fallen from the Chancellor of the Exchequer? If blame attached anywhere, it could not be imputed to the present Government, who had received a *damnosa hæreditas* from their predecessors, and were consequently obliged to do the best they could under the circumstances. At the same time, he regretted that the original cause of the dispute with King Theodore had not been gone into. The late Under Secretary for Foreign Affairs (Mr. Layard) stated that the unanswered letter of the King had had nothing whatever to do with the war, and the hon. Gentleman read several papers in support of that opinion; but, for his own part, he must confess he thought those papers conveyed to his mind a perfectly different conclusion. What he wanted to know was when the letter of which so much had been said reached the Foreign Office—when did it get to England? Was it on the 12th of February last? [Mr. OSBORNE: No, three years ago.] Well, then, could there be anything more astonishing than that a letter sent to the Sovereign of this country by a person whom the country had recognised as a Sovereign Prince, after reaching the Foreign Office, should have been mislaid? Whether or not it was thrown into the waste-paper basket it was impossible to say; but at all events the late Under Secretary of State said he never saw it, while the late Secretary of State said he did not remember anything about it. The matter was so inexplicable that probably no explanation whatever could give a satisfactory solution of the matter. If the papers referred to by the hon. Member for Southwark (Mr. Layard) did not prove that the want of an answer to that letter was not the cause of the war, they did prove one thing—namely, that Consul Cameron had been guilty of gross misconduct. Consul Cameron had adopted the course which he must have known would be objectionable to the King, while at the same time he had no business whatever in that Sovereign's dominions, having entered them in disobedience to orders. Under these circumstances, he did not think this country had any fair cause of complaint in respect of that individual, who was admittedly a wrong-doer—the Foreign Office ought to have said, *que diable ullait il faire dans cette galere.* Having left the place to which he was accredited he was no longer a Consul, and there was a precedent to show that an Ambassador having gone to a place other than that to which he was accredited an indignity offered to him could not be made a cause of war. Consequently, it appeared to him (Sir George Bowyer) that the Foreign Office had no business to send Mr. Rassam to Abyssinia. The hon. Member for Southwark had given the House a description of Mr. Rassam's extraordinary ability, and if his praise were deserved Mr. Rassam should, directly the vacancy occurred, be sent as our Ambassador to Paris. He wished, also, to point out that Mr. Rassam, being a Turkish subject, was not a fit person to be sent by this country as its Ambassador to Abyssinia. Respect for a foreign country required that a subject of Her Majesty should be sent on such a mission; and he did not doubt that the fact of a foreigner, even although he might be the servant or the factotum of the hon. Member for Southwark, being sent as our Ambassador had a good deal to do with the events we were now deploring. But he (Sir George Bowyer) went further, and said that, not only should Mr. Rassam not have been sent, but nobody should have been sent. Owing to the misconduct of Consul Cameron, we had sent to Abyssinia an Envoy whom we ought never to have sent at all, and we had become involved in a war which would cost us £5,000,000 at least, and in the event of our having to replace the troops we had taken from India would cost us far more. He looked upon the war as a most disastrous one. He regretted that Her Majesty's Government had not taken a more decided view of the matter, and had not taken into consideration the circumstances out of which this unfortunate war had arisen; and he still more regretted that the right hon. Member for South Lancashire (Mr. Gladstone) had not had the magnanimity and the manliness to set before the House the real facts of the case, and to accept, as he ought to have accepted, whatever blame legitimately belonged to the Foreign Office for its conduct while under the control of his Colleague, instead of approving, as he had done, the conduct of the Government and supporting them in the course they had adopted in this matter. The right hon. Member ought to have gone into the whole question, and ought to have acted in a patriotic instead of a party spirit. Landed in war, however, we were now, and he and the country could only bitterly lament that the bungling that took place in the Foreign Office under Earl Russell should have led to such an unfortunate and disastrous result.

MR. AYRTON said, the hon. and learned Baronet who had just sat down (Sir George Bowyer) was in error in supposing that the right hon. Gentleman the

Member for South Lancashire had approved everything that the Government had done. in this matter. He was present on the occasion of the right hon. Gentleman speaking on the question, and if his recollection were correct the right hon. Gentleman had not approved the conduct of the Government in this matter, but had merely expressed an opinion that the Government having committed the country to a war, it was advisable in the public interests not to withhold from them the support which they demanded from the Legislature. It must not, however, be assumed that in so doing the right hon. Gentleman, or the hon. Members generally of the Opposition, acquiesced in or expressed any approval of the course which had been pursued by the Government. On the contrary, he believed it would be found that those who sat on that side of the House looked forward to the time when there would be an expression of opinion which might be very unpleasant if made at the present moment. It must be clearly understood that the Government were proceeding on their own responsibility. No doubt a time would arrive when the whole matter would have to be fully discussed, and when Her Majesty's Government would have to answer for the course which they had thought fit to pursue; the House, however, had not yet before it the materials necessary for entering into an investigation of the subject, inasmuch as the papers which had been laid before it were prepared in a most imperfect, and indeed, he might say, an offensive form. Had any clerk in the House of Commons at a salary of £100 a year prepared papers in so slovenly a way he would be dismissed as unfit for his duties. The papers from every Department had been thrown together in a heap, and had then been arranged in order of date, without the slightest care being taken that they should follow in a consecutive manner in regard to the circumstances to which they related. It was hardly possible for any one to obtain from them the information he desired on any particular topic. He hoped that before the next meeting of Parliament the Government would take care to have the documents arranged in a more perspicuous form. At least the Secretary of State could lay on the table a classified index, so that Members might read with understanding and proper appreciation the extraordinary facts which the blue book disclosed. Its composition and the short time allowed for the perusal rendered it quite impossible, if hon. Members had desired, to discuss the question with advantage to the public. It was therefore a grave error to suppose that the House acquiesced in and approved everything that was reported in the blue book to have been done. Some hon. Members had taken up particular points, being unable to abstain from expressing their views upon them; but that was a very different thing from entering into a discussion of the whole question. No such discussion had taken place, and it must not therefore be assumed that the House had acquiesced in the conduct and policy of the Government.

Mr. WYLD said, he did not agree with the observation made by the hon. and learned Member for the Tower Hamlets in regard to the preparation of these papers—on the contrary, he thought that the Government were entitled to the thanks of the House for having presented to them, in however hurried a manner, all the information they could collect in reference to this matter. Their conduct in this respect contrasted very favourably with the conduct of the Government in which the hon. Member for Southwark was the Under Secretary of State for Foreign Affairs. Either purposely or through negligence, the predecessors of the present Government kept back the information they possessed with regard to Abyssinia, and therefore hon. Members were compelled to move for papers that were not published, as they ought to have been, in the first and second blue books on the Abyssinian question. He thanked the noble Lord for the answer given, which was necessary to the vindication of the gentleman referred to; and if the Motion of adjournment had unexpectedly occasioned a debate, that would not have been a matter of regret, had it led the hon. Member for Southwark to offer some reparation to Dr. Beke for what he had said on a former occasion. In an august assembly like that such expressions as "mendacious," "adventurer," "busybody," "meddler" and the like, were hardly admissible as applied to an absent gentleman, who had neither the power nor the opportunity to defend himself. The hon. Member for Southwark was unfortunate in those whom he selected for attack. One night he blamed Dr. Beke, and another night Consul Cameron; and it could only be trusted that the hon. Member would feel that, as regarded the former, he had done gross injustice to an individual who could not in that House defend himself. The House might remember that not many years ago there was an "adventurer," if he might use the expression, who, for the sake of obtaining archæological and historical information, conducted explorations on the plains of Mesopotamia, removed the accumulated dust of centuries, and in the monumental tombs of dead kings made discoveries which added to his fame, and, perhaps, contributed to place him in his present position and to give him the opportunity of making the speech he made the other night, for which, as an attack on the character of another gentleman and distinguished traveller, he was bound to make some reparation.

Sir STAFFORD NORTHCOTE: Even if it be true, as has been observed by the hon. and learned Member for the Tower Hamlets, that the question of the Abyssinian war has not really been discussed, and that there have not been opportunities for a full discussion of it, I think the House will feel it is not convenient to take advantage of a Motion for Adjournment to enter upon a full discussion of any of the topics which have been glanced at. There will be other opportunities of entering into full discussions; and therefore I do not think it desirable that we should attempt at this moment to anticipate inquiries in which we may more conveniently engage hereafter. There are, however, one or two points it is necessary I should refer to. I have already expressed my regret that the blue book was found so inconvenient to hon. Members; but I am rather surprised to hear it described as "offensive," for undoubtedly there was no intention to give offence. The fact is that we hardly knew on what particular points the House would wish to criticize our proceedings; and therefore we thought it best that hon. Members should know all that had been going on, and with what rapidity, and under what peculiar circumstances, the expedition had been organized. The papers being in print for the use of the Departments, we laid them on the table as they were; but we appended a very full *precis* of the contents of the book, so that hon. Members, with a very small amount of trouble, might turn to the correspondence on any particular point. The hon. Member for Chatham (Mr. Otway) seems to think that Sir Robert Napier is under the orders of Sir Seymour Fitzgerald, and that the Governor of Bombay is responsible for the arrangements made for the expedition, even in so important a matter as the determination of the number of men to be employed. Such a view is entirely erroneous. In point of fact, the Governor of Bombay is not the Commander-in-Chief of the Bombay army; but Sir Robert Napier, as Commander-in Chief, is an *ex-officio* member of the Government of Bombay. Many questions of a military character have to be decided by the whole Government, of which Sir Robert Napier is a member, and on matters of military detail the greatest deference is paid to his opinion. As regards the matters which have been discussed and settled by the Government, the aim of the Governor has been as far as possible to restrain expenditure. Sir Seymour Fitzgerald, as the blue book shows, is one of the few persons who have advocated the sending of a force smaller than that which has been sent, and therefore it is a misrepresentation to speak of him as responsible for its magnitude. Sir Robert Napier proposed a large force; the Governor argued for a small one; but, in deference to Sir Robert Napier, waived his objections to a large one. However, the responsibility for the size of the force rests neither with Sir Robert Napier nor with Sir Seymour Fitzgerald; it rests upon Her Majesty's Government; and it has not "grown" to 12,000, for that was the number of troops mentioned in the telegram which the Government had before them on the 14th of August, and which they then accepted. The arrangements as to the transport and the accessories of the force have, to a great extent, been settled by the Government of Bombay, upon the requisitions and suggestions of Sir Robert Napier, the Government, and especially the Governor, exercising their influence to prevent any unnecessary expenditure. So far as Sir Seymour Fitzgerald has exercised any influence, it has been in the direction of preventing any expenditure that was not absolutely necessary. The question whether the force is too large or not may be deserving of full discussion; but I do not think it would be advantageous, or would meet the views of the House, to discuss it now. The Government are prepared at any time, with or without notice, to give explanations; but it would be convenient to reserve a general debate for a more formal occasion.

Motion, by leave, *withdrawn.*

POOR LAW—WALSALL WORKHOUSE.

QUESTION.

In answer to Mr. C. Forster,

Mr. SCLATER-BOOTH said, a correspondence had passed between the Inspector of the district and the Poor Law Board respecting the statements published in *The Lancet* in connection with the Walsall workhouse. The papers were completed, and if the hon. Gentleman was inclined to move for them, there would be no objection to produce them.

ARCHITECTURAL REMAINS IN INDIA.

QUESTION.

Mr. LAYARD asked the Secretary of State for India, Whether any recent steps have been taken towards preserving the numerous ancient architectural remains of public buildings and other monuments in India; and, whether he will lay on the table of the House copies of any documents lately issued by himself or the Governor General of India relating to this subject?

Sir STAFFORD NORTHCOTE said, some despatches had been received from the Government of India on this interesting subject, and there had also been a correspondence with the Department of Science and Art at South Kensington. The papers were hardly in a fit state to lay before the House; but when the correspondence was completed they could be produced.

FOREIGN OFFICE AND THEIR AGENTS ABROAD.—QUESTION.

Sir PERCY BURRELL asked the Foreign Secretary, Whether Her Majesty's Government will adopt effective measures to deter subordinate Agents from disobeying the orders which they receive from the Foreign Office, so that in future impunity might not confirm them in a course of disobedience such as in the case of Consul Cameron appeared likely to have been a main cause of involving this country in a war with Abyssinia?

Lord STANLEY: Disobedience to instructions on the part of subordinate agents of the Foreign Office never ought to be, and, so far as my knowledge extends, never has been passed over. If such acts of disobedience were wilful, they would be followed by the recall of the person committing them. If they arose from an error of judgment or from a misconception of instructions given, probably an expression of disapproval would be sufficient. The decision in each case must depend upon the particular circumstances of the case—we cannot lay down any general or invariable rule. But with regard to the case of Mr. Consul Cameron, though I quite admit that he may have been more mixed up than was desirable in the politics of Abyssinia, yet if the reference of the hon. Baronet is, as I suppose it to be, to the order which Mr. Cameron received to return to his post, we have every reason to believe that that order did not reach Mr. Cameron until he was detained by King Theodore, and had therefore ceased to be a free agent. It would not therefore be just to punish a man for not obeying an order which it was physically impossible for him to obey.

HALIFAX, BERMUDA, AND ST. THOMAS MAILS.—RESOLUTION.

Mr. HUNT, in moving a Resolution approving the Contract with Mr. W. Cunard, for Conveyance of the Halifax, Bermuda, and St. Thomas Mails, said, that the contract was for a sum of £19,500 for ten years, for a service once in four weeks; but in the event of the Postmaster General desiring to determine the contract at the end of five years, Mr. Cunard was to receive £1,000 a year additional. The reason for the maintenance of this service was concisely given in a letter from the Secretary to the Admiralty to the Secretary of the Treasury, dated April 26, 1867—

> "With reference to my letter of the 31st of July, 1866, respecting the discontinuance of the contract with Messrs. Cunard for conveying the North American mails, I am commanded by my Lords Commissioners of the Admiralty to acquaint you that they have received an inquiry from the Postmaster General as to the necessity of continuing the mail service between Halifax and St. Thomas, *viâ* Bermuda, which, under existing arrangements with Messrs. Cunard, will terminate on the 2nd of January next. I am commanded by their Lordships to request you will state to the Lords Commissioners of Her Majesty's Treasury that their Lordships have informed the Postmaster General that the withdrawal of this mail packet would be attended with the greatest inconvenience to the public service. It is by this route the naval Commander-in-Chief on the North American station keeps up his communications with Jamaica, Barbadoes, and all the various islands and colonies in the West Indies and the Gulf of Mexico, and to cut off this means of communication appears to their Lordships to be most unadvisable."

Under these circumstances tenders were called for, and the tender accepted was the only one presented. The amount was considerably higher than the Treasury had expected, and the Admiralty were therefore asked whether they could not undertake the service themselves. Their reply was as follows:—

> "In the event of the service having to be undertaken by this Department, it could not be performed with less than two vessels. The cost of building two suitable vessels is estimated at £70,000, there being none of Her Majesty's ships at present disposable. The annual cost of wages, victuals, coals, and wear and tear is estimated at not less than £25,000."

There seemed, therefore, to be no alternative but to accept the tender. As to the terminal port of St. Thomas, power would be given in the contract to the Postmaster General to change the port to another port in the West Indies if such a change should hereafter be deemed necessary, the terms to be paid to Mr. Cunard for this alteration to be settled by mutual agreement, or failing that, by arbitration.

Moved, "That the Contract entered into with Mr. W. Cunard, for the conveyance of Mails between Halifax, Bermuda, and St. Thomas, be approved."—(*Mr. Hunt.*)

Mr. GILPIN said, that the last statement had rendered it unnecessary for him to make the remarks he had intended to offer. He was glad to hear that the Postmaster General would be empowered to remove the mails from the pestilential island of St. Thomas, from which ship after ship had brought home the yellow fever. Another reason why St. Thomas should no longer be the central point of our mail services to the West Indies was that the island had now ceased to be a Danish dependency, and had become the property of the United States. The main objection, however, to it was the mortality among the sailors and passengers in the mail packets. Another route might be adopted with equal advantage. He congratulated the country that this power was reserved to the Postmaster General, and hoped it would soon be exercised.

Mr. Alderman LUSK complained that sufficient time was not allowed in making the arrangements for these contracts, and that they were left to the last moment. He found no fault with the Cunard Company, which did its work well; but why could not some of our Government vessels do this service? Surely it would be a good thing for the men and officers of the Royal Navy to have something to do in this way.

Mr. CORRY said, that the Secretary of the Treasury had already answered the hon. Gentleman, by showing that the performance of the service by the Royal Navy would not be an economical arrangement. It would be absolutely necessary to build new vessels, for a man-of-war would be as unsuitable to the service as a mail packet would be to perform the duties of a man-of-war. The Board had reduced the squadron to the lowest point compatible with the duties it had to perform; and it would not be an economical step to increase it.

Motion *agreed to*

PUBLIC SCHOOLS BILL.

LEAVE. FIRST READING.

Mr. WALPOLE, in moving for leave to bring in a Bill to make further provision for the good government and extension of certain Public Schools in England, said, that last year a Bill on the subject was brought into the House of Lords, founded upon a Report of the Royal Commission, and had come down to the House of Commons. The pressure of business, however, was then so great that he was unable to bring it to a second reading. He wished, therefore, now to bring in a Bill of nearly the same nature, but containing some few Amendments, and he thought it better to do so at this early period in order that it might be fully discussed when the House should meet after Christmas. He should propose to take the second reading on the second day of the meeting of Parliament after the Recess.

Mr. AYRTON said, he had already given notice for a Select Committee to inquire into the condition of some of the schools which would be affected by this Bill. He would suggest that before the second reading the right hon. Gentleman would consider the propriety of separating two questions which were really entirely distinct — namely, the question affecting the provincial schools, such as Eton and Harrow, and that which related to the schools of the metropolis.

Mr. GOLDNEY hoped the scope of the Bill would be enlarged, and that it would be made to extend to other schools than those included in the measure of last year.

Motion *agreed to.*

Bill to make further provision for the good government and extension of certain Public

Schools in England, *ordered* to be brought in by Mr. WALPOLE, Sir STAFFORD NORTHCOTE, and Mr. Secretary GATHORNE HARDY.

Bill *presented*, and read the first time. [Bill 24.]

METROPOLITAN FOREIGN CATTLE MARKET BILL.

LEAVE. FIRST READING.

LORD ROBERT MONTAGU moved for leave to bring in a Bill to give powers for the establishment in the metropolis or its immediate neighbourhood of a Foreign Cattle Market. He said, his object in introducing the Bill now was that it might be before the country during the Recess. He should propose to take the second reading immediately after the Recess, and refer the Bill to a Select Committee. The object of the Bill was to give power in the first instance to the City Corporation to construct a separate market for foreign animals. If they refused to undertake it, the matter would be put into the hands of the Metropolitan Board of Works, and they would receive power to raise the necessary funds. Failing them, it would be placed in the hands of five Commissioners to be named by Her Majesty.

Motion *agreed to.*

Bill for the Establishment of a Foreign Cattle Market for the Metropolis; and for other purposes connected therewith, *ordered* to be brought in by Lord ROBERT MONTAGU and Mr. HUNT.

Bill *presented*, and read the first time. [Bill 25.]

House adjourned at Seven o'clock.

* * *

HOUSE OF LORDS,

Friday, December 6, 1867.

MINUTES.]—PUBLIC BILLS—*Third Reading*—Sales of Reversions* (5); Drainage and Improvement of Lands (Ireland) Supplemental* (3); Metropolitan Streets Act (1867) Amendment* (8); Income Tax; Consolidated Fund (£2,000,000),* and *passed.*

INCOME TAX BILL.

(*The Earl of Derby.*)

THIRD READING.

Order of the Day for the Third Reading read.

LORD LYVEDEN said, he wished to make an explanation in reference to an observation in the reply of the noble Earl at the head of the Government in the debate on the Abyssinian expedition the previous evening. It appeared that the noble Earl had understood him to have said that he entirely approved the expedition. Now, what he had said was that he entirely approved the manner in which the Government proposed to carry it out; but, as regarded the expedition itself, he thought no opinion ought to be expressed upon it now, as the affair having been actually undertaken, it was much better, for the present, that Parliament should apply itself to the means of insuring success. He had not given, and could not give, any expression of his approbation in respect of the expedition itself.

Bill read 3^a, and *passed.*

EAST LONDON MUSEUM SITE BILL.

EXPLANATIONS.

LORD REDESDALE said, that in consequence of some observations which had been made by the noble Duke the Lord President of the Council in reference to the course he had thought it his duty to take when this Bill came before him, he wished to make an explanation. As their Lordships knew, Bills such as this were of a hybrid character, and consequently were dealt with both by him and by a Committee of their Lordships' House. It was his duty, when such a Bill came before him as Chairman of Committees, to see that it was in the shape in which it ought to be allowed to go on. This Bill proposed to take for the purposes of the Museum certain lands in Bethnal Green, which, under the deed securing them to Trustees, were to be for ever kept free from all buildings. It was extremely desirable that in densely-populated portions of this metropolis such open spaces should be preserved; and if the condition of so preserving them was about to be done away with, it was right that the parishioners and inhabitants should be informed of what was about to be done. In this case that information which the Standing Orders were framed to secure had not been afforded to the inhabitants of Bethnal Green. Even the preamble of the Bill was defective in not reciting the condition of the deed, or what was about to be done, as was usual in all Bills of this kind. His objection to the Bill was that from the manner in which it had been brought forward, the parties interested had had no proper notice. Public notice of the Bill was first given by publication in *The Morning Post* of the 15th of November. Now, he thought he might reasonably presume that *The Morning Post* did not circulate very extensively in Bethnal Green. It was afterwards published in *The London Gazette* on the 19th, and the last notice in *The Post* was on the 25th November; and the Bill was brought in on the same day. Leave was given to the Examiner of Standing Orders to sit the next day, and he reported on the 28th. The second reading was taken on the 29th, and the Bill was then sent to a Select Committee, who reported the same day. On the 30th it was re-committed, and was carried through the remaining stages on the same day. The Standing Orders requiring November notices were for Bills expected to be brought in more than two months afterwards. In this case the Bill was brought in on the day following the last notice, and instead of the usual time for petition, and inquiry being allowed after its introduction, the Standing Orders of both Houses had been suspended in order to force it through within a fortnight. He did not say that the object of the Bill might not be a very proper one, but he had an objection to the way in which the Bill was framed. It provided that the trustees of the land or a majority of them should have power to sell to "the trustees for the establishment and maintenance of the East London Museum at such price and on such terms as they agree on." When he asked the agent for the Bill who were the trustees of the East London Museum, the reply was, "Oh, the trust is not yet formed." But was Parliament to give powers of purchase to a trust not yet formed? The only document in the form of an agreement he had seen—by whom drawn up he could not tell—provided that the land was to be conveyed to certain persons called "purchasers," and that these were to be the members of Her Majesty's Government for the time being. "The members of Her Majesty's Government for the time being" were not a corporation capable of purchasing and holding land; yet this was the only legal document produced before him. Moreover, the Bill did not provide for the treatment of the land. There was a provision in the agreement that whatever land was not used for the purposes of a Museum should be maintained by the Government for the time being as a public garden. Here, again, a consideration of some importance presented itself, for unless the members of Her Majesty's Government for the time being were prepared to defray the costs out of their own pockets, means for the purpose must be provided out of the public monies, and no notice had been given in the other House of Parliament of any such intended application, and no Amendment to that effect could be introduced by the Lords. The solicitor for the Bill admitted that the price proposed to be given for the site (£2,000) was very inadequate, considering it land for building purposes; but referred, by way of explanation, to this provision, that the land, as to a certain portion of it, was not to be built upon; but the Government were to be allowed to place whatever buildings were required for the purposes of the Museum, which might include dwellings for the officers and servants, and it was therefore to be conveyed for building purposes. The noble Duke (the Duke of Marlborough) said, when he was spoken to, "You must have confidence in the Government." He had great confidence in the present Government; but he would not trust them or any other Government with unlimited powers over land in the way here proposed when it was intended that they should be limited. Such powers had never been given, and he thought they ought not to be given. If Parliament considered that certain powers should be conferred on the Government, let them prescribe the mode in which such powers should be exercised. These were the reasons why, in his opinion, the Bill ought not to be further proceeded with before the Recess. Parliament did not usually meet at this time of year, and hence the matter would only stand over till the ordinary period. He regretted that he had not been present on the previous day, when the noble Duke brought forward the subject, but he was in the full belief that the Bill would not be proceeded with, and that the Order would be discharged; and he left the House accordingly in order to catch a train for the purpose of going down into the country; but having seen his remarks in the public prints, he felt it his duty to attend and to assure the noble Duke that he had not the least intention of treating him or the House with disrespect. For the purpose of making this statement to their Lordships he had undertaken a journey of 180 miles.

The Duke of MARLBOROUGH said, he was sorry that the noble Lord had put himself to inconvenience; and had he been aware of the noble Lord's intention to renew the discussion, he should have taken pains to be prepared as to the particular facts which the noble Lord had mentioned. The noble Lord, while fulfilling, in a manner which could not fail to be satisfactory to their Lordships, the important duties of his high post, seemed also rather to take upon himself to determine the policy of a measure. Now, the duties with which the noble Lord was intrusted by their Lordships' House were to see whether Bills were in proper form, that notices had been properly given, and that various safeguards were properly inserted; these being in their nature, moreover, matters rather of a private than of a positively public character. But as to the policy of a measure, and as to whether Her Majesty's Government ought to be intrusted with a particular power or not, that was a matter for Parliament to determine, and which did not rest merely with the noble Lord, who was not to exercise the powers intrusted to him merely to stop a public measure because he did not think it desirable. This matter had been very fully considered by Her Majesty's Government; a Vote of £5,000 had been taken last year for the purpose of erecting this Museum, and as to the public garden which the noble Lord spoke of, it was a mere strip of ground surrounding the building about to be erected. The cost of maintenance hereafter, whatever that might amount to, would be included, he believed, in the Estimates for the South Kensington Museum. The necessity for this Bill had arisen solely out of the difficulty experienced in executing a conveyance legally, owing to the absence of two of the trustees. He would not venture to contradict the vast experience of the noble Lord as to the framing of Bills; and if the noble Lord, on his own responsibility, thought proper to delay the progress of this Bill until Parliament met again, the Government must only bow to the rules of their Lordships' House. At the same time a valuable opportunity would be lost, and as regarded one phrase to which objection had been taken, he certainly held that it was competent for the Ministers of the Crown for the time being to hold lands in the name of the Crown. He only hoped that when they met again the noble Lord the Chairman of Committees would confine himself to the legitimate duties of that office, and would not think it right to raise grounds of policy in opposition to this measure.

Lord REDESDALE replied that the only grounds which he had raised were points of form. [The Duke of Marlborough: No; points of policy.] I say points of form. The noble Duke thinks that when lands are to be conveyed for certain purposes, this is a question of policy. But whenever lands are conveyed for any special purposes, it is customary to require that those purposes should be stated in the Bill, and that I take to be a matter of form which should properly be observed. The noble Duke has not alluded to the fact that the Bill was run through all its stages in the Commons in one week, and that the only notice given to the parties whom the Bill would affect was given one week previously. If your Lordships deal in that way your Standing Orders parties may be deprived at any time of the lands which belong to them, without receiving that notice which those Orders are intended to secure to them. With regard to matters of policy, I did not touch on that point before, but I will mention a matter of policy now, which I think deserving of consideration. I think it very doubtful policy to maintain, or propose to establish a Museum, and maintain a garden at the public expense for the parish of Bethnal Green. I understand perfectly the policy of having a National Museum established and maintained at the public expense, and, being National, it is necessarily placed in the metropolis; and that we have got at South Kensington. But why is another portion of the metropolis to have another Museum and a garden added? If Bethnal Green is to have this, why not Southwark? And will not provincial towns put in a similar claim? Why should not the taxpayers of Birmingham or Manchester say, "We have as good a right to a Museum as Bethnal Green, and to have it set up and paid for out of the public purse?" Your Lordships will see that the proposition now made is one of those things requiring very careful consideration, and more, I am afraid, than has been bestowed in this instance.

House adjourned at a quarter past
Six o'clock, till To-morrow,
Twelve o'clock.

HOUSE OF COMMONS,

Friday, December 6, 1867.

ESTATES OF THE DEAN AND CHAPTER OF WESTMINSTER.—QUESTION.

Mr. GOLDNEY, in the absence of his hon. Friend (Mr. Bentinck), said, he would beg to ask the Judge Advocate General, Whether the Law Officers of the Crown have declined to sanction the scheme for the transfer of the Estates of the Dean and Chapter of Westminster to the Ecclesiastical Commission, and what course the Ecclesiastical Commission propose to take in consequence?

Mr. MOWBRAY, in reply, said, the case was not exactly as had been stated by his hon. Friend. What had taken place was this. In the scheme for the commutation of the estates of the Chapter of Norwich, doubts were entertained by the Law Officers of the Crown as to some points. The same objections were also applicable to a similar scheme in reference to the commutation of the estates of the Chapter of Westminster, and it was therefore determined to refer both schemes to the Judicial Committee of the Privy Council. They were so referred accordingly, and the Ecclesiastical Commissioners had taken steps for the consideration of the questions raised at the earliest moment. He hoped, however, that early in next year the decision of the Judicial Committee would be given.

SPAIN—THE "QUEEN VICTORIA." QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether it is the case that no redress has yet been afforded to the owners of the *Queen Victoria*, and that they have neither received their Ship, which is still in the harbour of Cadiz, nor any compensation from the Spanish Government?

Lord STANLEY: Sir, the state of the case as regards the *Queen Victoria* is as follows:—The Spanish Government have expressed their willingness to grant compensation to the owners, and the only question now in dispute relates to the amount. I am bound to say that the claim made by the owners appears *primâ facie* to be somewhat excessive, and the Spanish Government have demurred to it on that ground. The amount to be awarded is still under consideration. I have written more than once to urge that the affair should be brought to a speedy settlement, and I received a promise that it should be settled without any unreasonable delay.

THE INDIAN COUNCIL.—QUESTION.

Mr. Alderman LUSK said, he would beg to ask the Secretary of State for India, Whether he can state to the House the names of any Members of the Indian Council who may intend retiring from the Council, and the period at which their retirement will take effect?

Sir STAFFORD NORTHCOTE replied that he had received no communication on the subject from any Member of the Indian Council.

TURKEY — MAINTENANCE OF THE OTTOMAN EMPIRE.—QUESTION.

Mr. GOLDNEY, in the absence of his hon. Friend (Mr. Bentinck) said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any fresh understanding has been recently come to between France and Austria for the maintenance of the Ottoman Empire; and, whether Her Majesty's Government has been invited by Baron de Beust to take any, and what, action on the subject?

Lord STANLEY: I am not aware, Sir, of any understanding of the kind having been come to between the French and the Austrian Governments. It is true that some suggestions were recently made to Her Majesty's Government by Baron de Beust as to the advice which should be given to the Porte, and those suggestions have been listened to with the respect due to any advice coming from that quarter, but no action has been at present taken on the subject.

COLLISIONS AT SEA.—QUESTION.

Mr. HOLLAND said, he wished to ask the Vice President of the Board of Trade, Whether any alterations are contemplated in the Rules of Road at Sea, with a view of avoiding the constant collisions occurring under the present system?

Mr. STEPHEN CAVE: No, Sir, no alterations are contemplated in the Rules of the Road at Sea. Collisions are not caused by observance, but by neglect or misconception of those rules. The Board of Trade has just completed a set of simple diagrams explaining in the clearest manner the way in which vessels should comply with the Rules of the Road under every circumstance. These diagrams are in accordance with the views of the Trinity House, and are now under the consideration of the Admiralty. We are only waiting for their official confirmation, to submit the Papers to the Judge of the Court of Admiralty and the Judicial Committee of the Privy Council, by whom questions relating thereto are eventually decided. When an authoritative interpretation of these rules is thus obtained, I believe that accidents resulting from misconception will be very rare. I laid on the table a few days ago Papers which fully elucidate these points. I could not now explain them further without entering into technicalities which hon. Members would find it difficult to follow, and which would carry me beyond the ordinary limits of an answer.

ABYSSINIA—PRESENTS FROM KING THEODORE.—QUESTION.

COLONEL SYKES said, he wished to ask the Secretary to the Treasury, Whether the sum of 3,000 dollars in money and the value of presents stated by Mr. Flad in his letter to the Earl of Clarendon, no date, but received 10th of July, 1866, and numbered 30, to have been given to Mr. Consul Cameron by King Theodore, has been credited to the British Exchequer; and, whether the sum of 25,000 German crowns, embracing value in presents, stated by Mr. Flad in the same letter to have been given to Mr. Rassam by King Theodore, has been credited to the British Exchequer; and, if not, whether any Reports of the receipt of these sums by Messrs. Cameron and Rassam has been made to the Government?

MR. HUNT said, in reply, that neither the money stated by Mr. Flad to have been given to Mr. Consul Cameron by King Theodore nor that said to have been received by Mr. Rassam had been credited to Her Majesty's Exchequer. The matter was one which hardly fell within his Department; but he had obtained information from the proper quarter, and found that Mr. Rassam reported to Colonel Merewether and the Foreign Office that he had received 10,000 dollars and other presents from the King; and from Mr. Flad's letter, referred to by the hon. and gallant Member, it appeared that when Mr. Rassam was arrested, the money in his possession, 6,800 dollars, was taken from him. The only reference which could be found in Mr. Consul Cameron's report to any money received by him was contained in a despatch dated October 31, 1862, in which he said that the King had sent him a present of 1,000 dollars, which he had, at great risk of incurring the King's displeasure, refused to accept. He added that in order not to irritate the King he would hand over the 1,000 dollars to the Negaderass of Odona. In the same despatch Mr. Cameron reported that he had accepted certain presents of arms on the behalf of Her Majesty.

DISTRESS IN EAST LONDON.

QUESTION.

VISCOUNT ENFIELD said, he wished to ask the Secretary to the Poor Law Board, Whether any representations from Boards of Guardians in the East of London relative to the distress prevailing in that district have been received by the Poor Law Board; and, whether the attention of the Board has been directed to the subject; and what is the latest information they have received from that locality?

MR. SCLATER-BOOTH said, in reply, that since June last, when deputations from the parish of Bow, which was in the Poplar Union, waited upon Lord Devon to complain of the pressure of the poor rates upon that locality, no direct representations had been received by the Poor Law Board from the guardians upon the subject; but, in consequence of a letter addressed to the Secretary of State about two months ago, the attention of the Poor Law Board had been continually directed to that question. It appeared that the number of able-bodied persons employed in the stone yard of that district was less than half what it was twelve months ago. A large number of persons—850 in all—had been assisted to leave the district; partly with a view to emigration, and partly to go to other parts of the country where there had been a demand for their labour. On the other hand, he was sorry to say that the distress was now rather upon the increase, and seemed to have reached a better class of people than those ordinarily in the receipt of parish relief. Various measures had been adopted by the guardians to meet this emergency. In the first place, having ascertained that many poor persons were parting with their clothing and bedding in order to avoid applying for relief, the guardians had determined within these few days to make loans of bedding and clothing to persons so circumstanced. Moreover, they had added to their staff of relieving officers and assistants. The Inspector of the district had also been in communication with those gentlemen who on previous occasions had formed themselves into relief committees. No such committees were at present organized, and it was hoped and expected that there would be no necessity for that organization. In the event, however, of circumstances requiring it, arrangements had been made by which the relief committees would act in connection with the Boards of Guardians, and he hoped that the lists of persons to receive assistance would not be made out by them separately —namely, independently—the practice having been found on former occasions to be productive of great inconvenience. The guardians were at present in possession of ample funds to meet all probable contingencies. They had large sums of money in hand, and the rate in the current quarter was only 11*d.* in the pound, as compared with 1*s.* 8*d.* and 1*s.* 1*d.* in the two previous quarters of the year. There was every reason to suppose that, unless a severe frost or some sudden emergency should arise, provision had been made to meet all contingencies during the coming winter.

IRELAND—IRISH CHURCH REVENUES.

QUESTION.

SIR PATRICK O'BRIEN said, he wished to ask the Chief Secretary for Ireland, Whether a statement of the Reverend Dr. Alfred Lee, to the effect that a document relative to Irish Church Revenues, entitled "Observations on Dr. Brady's Letter to *The Times*," has been prepared and issued with the sanction of the Ecclesiastical Commissioners for Ireland is accurate; and, if so, will he lay a Copy of it upon the table?

THE EARL OF MAYO said, in reply, that though the Ecclesiastical Commissioners were not under the control of the Irish Government, he had made inquiries on the subject referred to, and was informed by the Commissioners that a Minute was adopted on the 5th of April, 1866, to the following effect:—

> "The Commissioners having read a paper of observations upon a letter recently published in *The Times* newspaper respecting the revenues of the Irish Church, by the Rev. William Maziere Brady, D.D., the same was approved, and ordered to be printed for private circulation."

This was all the information he had upon the subject. With regard to the document referred to, if the hon. Gentleman would move for it, he would ascertain from the Ecclesiastical Commissioners whether they would object to its being laid on the table.

INDIA—IRRIGATION.—QUESTION.

MR. OTWAY said, that a letter on the subject of Irrigation in India had appeared in the City Article of *The Times,* with a signature and address well known at the India Office, and, with reference to the statements therein contained, he would beg to ask the Secretary of State for India, Whether it is true that the East India Irrigation Company is compelled by the regulations in India to charge for their supply of water only one-fifth of the price charged by the Government for its supply; whether he contemplates purchasing the rights and property of this Company, and, if so, from what source he proposes to take the sum necessary for the purchase; whether any negotiations have been entered into with the Chairman or other officers of the Company respecting the sum of £50,000, or any other sum to be paid to them as compensation in the event of the purchase; and, whether it is his intention to obtain the sanction of Parliament before completing their purchase?

SIR STAFFORD NORTHCOTE, in reply, said, he had seen the letter to which the hon. Member referred; but he was not prepared to admit the correctness of the statement that the East India Irrigation Company "was compelled to charge for their supply of water only one-fifth of the price charged by the Government for its supply." As he understood the mode in which that calculation was made, it was something to this effect:—The writer took the price at which the Company were required to supply their water. He said they supplied such and such a quantity of it, and calculating the quantity of water supplied in the North-West Provinces under the Government regulations there, the price per gallon was very much lower in Orissa than in the North-West Provinces. Now, that was not the way in which the charge was regulated. It was regulated at so much per acre, and he thought it would be found that the rates prescribed in Orissa and those in the North-West Provinces were substantially tolerably equal. The rates fixed for Orissa were — for a single flooding, 1½ rupees per acre; for one crop 3 rupees per acre; for two crops within the year, 6 rupees per acre, commutable to an annual payment of 5 rupees per acre. In the North-West Provinces a somewhat similar arrangement prevailed, but at rather various rates for different crops — for sugar-cane and gardens, 5 rupees per acre; for rice, tobacco, opium, vegetables, and Singhara nuts, 3 rupees per acre; all other spring crops, indigo, and cotton, 2¼ rupees per acre; and for all other rainy season crops, 1 2-3rds rupees per acre. It was impossible, however, to enter into a full discussion of the subject in answer to a Question of this kind. With regard to the Question whether it was in contemplation to purchase the rights and property of this Company, and, if so, from what source the sum necessary for the purchase was to be taken, he would say that such a purchase was intended. The Government of India had stated to the Secretary of State that, in their opinion, it would be desirable to make an offer to the Company to purchase the whole of their works and plant in Orissa and Behar, and that subject had been under consideration for some time. Ultimately, on the 22nd of November, the Council came to the conclusion that it was desirable to make an offer to purchase those works. Of course, the sum necessary for that purpose must come from the revenues of India, and would be something between £800,000 and £900,000. It was a question whether the money could be provided out of the surplus revenues of India within the present year, or whether it would become a charge upon the Indian revenues in the shape of a debt. If the latter course were decided on, it would only be giving effect to a provision made last year under the auspices of his noble Friend the Member for Stamford (Viscount Cranborne), that irrigation works in India should be carried on to a certain extent with borrowed money; and it might possibly be thought desirable that money should be borrowed for the purpose of taking these important works into the hands of the Government and carrying them on. With regard to the next Question of the hon. Gentleman, he would state the proposal that had been made. The Council proposed to purchase the works on the terms of giving to the Company the par value of their shares in cash, and, in the words of a letter to Mr. Westward, dated November 22, 1867—

> "A further sum of £50,000, to be appropriated in any way that a general meeting of the shareholders of the Company, called for the purpose, may decide, whether in compensation of their officers, or otherwise, on the distinct understanding that the Secretary of State will not hereafter recognise any further claim for compensation for the officers and servants of the Company."

The money, therefore, was not to be given by way of compensation to the officers or directors, but to the shareholders, and the Secretary of State clearly said that the officers should have no claim whatever upon the revenues of India. With respect to the last Question, it was not necessary that he should bring the matter before Parliament, and he would not take any exceptional course for that purpose.

PROBATE DUTY.—QUESTION.

Mr. KINNAIRD said, he wished to ask the Secretary to the Treasury, Whether it is the intention of the Government to bring in a Bill to carry into effect the recommendations made by the Inland Revenue Commissioners in their last Report, relative to the Assessment of Probate Duty on leasehold property subject to mortgage?

Mr. HUNT said, he was unable to give an answer. The House had met at an unusually early period, and many questions were still pending which, if the House had met at the usual time, would have been announced.

ARMY—MAJORS IN CAVALRY REGIMENTS.—QUESTION.

Mr. BRYAN said, he would beg to ask the Secretary of State for War, Whether, in the event of vacancies occurring in one or more of the Cavalry Regiments (not on Foreign Service), which have at present two Majors, by the demise of one of those officers, it is his intention to make a fresh appointment, or allow the step to be absorbed?

Sir JOHN PAKINGTON, in reply, said, that the hon. Gentleman did not appear to have very accurately recollected the change which had been made in the course of the last Session. That change was to this effect—that as cavalry regiments returned from foreign service, the second Major would be allowed to remain permanent, so that gradually all cavalry regiments would have two Majors. In the case contemplated, the vacancy would be supplied by promotion in the regiment.

DUCHY OF LANCASTER.

QUESTION.

MR. GOSCHEN said, he wished to ask the Chancellor of the Duchy of Lancaster, Whether he will undertake that the Office of Prothonotary to the Court of Common Pleas of Lancaster, which, since the death of Sir Charles Phipps, has been temporarily held by the clerk to the Duchy, shall not be permanently filled up till Parliament has had the opportunity of considering the question of the application to be made of the fees levied in favour of that office; and, whether the fees collected at present are held for public account in connection with that Court?

COLONEL WILSON PATTEN said, in reply, that it was not his intention to make any alteration in the arrangements come to on the death of Sir Charles Phipps with regard to the office of Prothonotary, and the funds arising from the fees remained as they were. If he were to make any change it would only be of a temporary nature, and subject to any alteration which might be thought necessary when the Commissioners should report.

ABYSSINIA—DR. BEKE AND MR. LAYARD.—QUESTION.

MR. NEWDEGATE said, he wished to put a Question to the noble Lord the Secretary of State for Foreign Affairs, with reference to a Notice which stood in his name on the Paper — that Notice standing before the Notice given by the hon. Member for Southwark (Mr. Layard). He wished to ask, Whether the noble Lord will think proper to lay before the House the Papers referred to in these Notices?

MR. LAYARD said, that his notice was intended to include that of the hon. Member for North Warwickshire (Mr. Newdegate). It was with deep regret that he had given that notice. He should be glad if the noble Lord would answer the Question.

LORD STANLEY: Sir, I am glad that my hon. Friend (Mr. Newdegate) and the hon. Member (Mr. Layard) have taken the course of putting a Question to me, because I am bound to say in answer that on full consideration I do not think I can refuse to give the Papers. One reason why I did not insert them in the blue book was because, in the first place, they relate to private quarrels and disputes, and have no reference to the general course of the Abyssinian negotiations; and, in the next place, I confess that I think it would have been just as well that the matter had been kept from public notice. As, however, the parties on both sides believe their characters to be affected by such disclosures as have been made, I do not see how Her Majesty's Government, who are in no way concerned, can refuse to produce the Papers. I would, however, make one suggestion to my hon. Friend. There are in the letter of Dr. Beke, for which he asks, some passages attacking persons not in England, which I think Dr. Beke would not desire to see in print, and I think these passages would be better withheld. I will consult with my hon. Friend on the matter, and, subject to that reservation only, I will give the Papers.

MR. LAYARD said, that the noble Lord had published in the blue book a despatch referring to that correspondence. He would appeal, therefore, to the noble Lord after what had occurred, and considering the opinion which the House had been led to form with regard to certain expressions, used by him (Mr. Layard) in debate, whether in his own justification he was not entitled to have the whole of that correspondence. If any part of the correspondence was proposed to be omitted, he would divide the House upon the propriety of such a course.

MR. NEWDEGATE rose—

MR. SPEAKER said, that it would not be convenient that a debate should take place on the subject merely on the putting of a Question.

MR. NEWDEGATE said, that the noble Lord had put a question to him, and he merely wished to say that he should be very happy to be guided in this matter by the noble Lord.

METROPOLIS—GUARDIANS OF ST. LUKE'S PARISH.—QUESTION.

MR. CHILDERS said, he wished to ask the Secretary to the Poor Law Board, Whether his attention has been called to the Report of the proceedings at a meeting of the Guardians of St. Luke's Parish last night, at which the clerk to the Board of Guardians was reported to have said that, if one of the nurses was dismissed as proposed, she would demand an investigation by the Poor Law Board, the result of which would be infinitely damaging to the Guardians, as showing the rotten state of things in the workhouse, and that, in consequence, her dismissal was not insisted on; and, whether the Poor Law Board will cause inquiry to be made as to the state of that workhouse?

Mr. SCLATER-BOOTH, in reply, said, his attention had not been called to that paragraph in *The Morning Post* until he came down to the House this evening. The statement appeared to be of a very extraordinary character, and he would take care that it should be fully inquired into.

CASUAL AND VAGRANT POOR.

QUESTION.

Lord ELCHO said, he wished to put a Question to the Secretary of the Poor Law Board, of which he had given him private notice—namely, Whether the attention of the Government has been directed to the best mode of dealing with the casual and vagrant poor, so as, if possible, to draw a distinction between the deserving poor and the incurable vagrant class; and, whether it is likely that a Bill will be introduced on the subject?

Mr. SCLATER-BOOTH replied, that the Poor Law Board had received sixty or seventy memorials from unions in various parts of the kingdom respecting the treatment of the casual and vagrant poor, and that they had recently addressed inquiries to their Inspectors as to the success which had attended an experiment which was being tried in Gloucestershire and neighbouring counties with a view to distinguish between the *bonâ fide* wayfarer and the ordinary vagrant. The Board were considering whether it would be possible to recommend the general adoption of that or any other system; but he was unable to say whether they would think it expedient to bring forward a measure on the subject this Session.

HOURS OF LABOUR IN NEWSPAPER OFFICES.—QUESTION.

Mr. LANYON said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to propose to Parliament with regard to newspaper proprietors any exception from the regulation of the Hours of Labour Regulation Act; and whether he has any objection to produce Copies of any Correspondence which has taken place with the President of the Provincial Newspaper society on that subject?

Mr. GATHORNE HARDY said, in reply, that it was not his intention to introduce any new exceptions into the Act. With respect to the correspondence he did not know that there would be any objection to produce it, but he would make inquiries on the subject.

INDIA—GOVERNOR OF BOMBAY.

QUESTION.

Mr. OTWAY said, he would beg to ask the Secretary of State for India, Whether he will lay on the table a Copy of the Patent or Commission under which the Governor of Bombay is appointed?

Sir STAFFORD NORTHCOTE said, he had no objection to do so if the hon. Member would move for the document.

WAR IN THE RIVER PLATE.

QUESTION.

In answer to Mr. Maguire,

Lord STANLEY said, he was unable to give any information as to the probable termination of the hostilities in the River Plate. He believed all parties were getting weary of the war, but he was not aware that there were at present any prospects of peace. The few additional papers in his possession would be laid on the table on the meeting of the House in February.

METROPOLITAN STREETS ACT (1867) AMENDMENT BILL—[Bill 2.]

(*Mr. Secretary Gathorne Hardy, Sir James Fergusson.*)

LORDS AMENDMENTS CONSIDERED.

Lords Amendments to be considered *forthwith*:—

Lords Amendments *considered*; read a second time:—

Mr. AYRTON regretted that the right hon. Gentleman the Home Secretary had not offered an explanation of the Amendment, since the task of doing so now devolved upon himself. When the subject was last before the House, he (Mr. Ayrton) commented upon a statement attributed to the right hon. Gentleman to the effect that the Act of last Session had passed without due consideration, and implying neglect on the part of the metropolitan Members. The right hon. Gentleman, however, disclaimed the use of the language ascribed to him, which had been variously reported in different papers. The right hon. Gentleman had since, however, in receiving a deputation which pressed on him the necessity of this Amendment in the Bill, made another statement, as to the terms of which the different newspapers agreed. He would quote from *The Times*, but it was not the only journal which had given these as the right hon. Gentleman's words—

> "The difficulty the Government was placed in was this—that the Act having been allowed to pass without opposition it was a very difficult matter to alter or rescind that which had become law."

This was tolerably explicit; but the matter did not rest here, for the noble Earl at the head of the Government had undertaken to enlighten the public as to the exact circumstances under which it might be necessary further to amend the Bill. The noble Earl, as reported in *The Times* of to-day, had said—

> "The principal grievance of which the cab proprietors complained, and which appeared to my right hon. Friend, as it does to me, to be a fair and legitimate ground, if not of actual complaint, at least one requiring further investigation and consideration, was that in addition to the very heavy duties which they now pay, amounting to £19 or £20 a year upon each cab, an additional burden is now to be thrown upon them which is not inflicted upon other carriages—namely, the expenditure involved in carrying lights. The provision to that effect is found in the Act of last Session, which contained a vast variety of details. It was a great object with both Houses of Parliament that some remedy should be applied to the serious obstructions existing in the streets of the metropolis, and it is possible that some of the details may have passed without that consideration to which they were fairly entitled. But, as far as I am aware, I believe there were not during the passing of that Act any complaints on the part of the cab-drivers and proprietors on this particular point."

These remarks were received with cheers, but what the cheering was for he could not say. If there had been any negligence it certainly rested more with the other House than with this, for in that House a Select Committee was appointed last Session expressly to settle the details of the measure. This House only considered the Bill on the 14th of August, and it was placed in a very unpleasant dilemma, for there was a distinct intimation that the Bill must either be adopted as the Government were disposed to give it, or thrown out altogether. The House, therefore, had either to succumb to the dictation of the Government, or incur the odium of obstructing legislation and leaving crying evils unredressed. Three times during the Session did he press for the reference of the Bill to a Select Committee of this House, but the suggestion was rejected; and when the hon. Member for the City of London (Mr. Alderman Lawrence) withdrew his Amendment on the understanding that a certain course would be taken, it appeared afterwards that he had fallen into a misunderstanding. When the Bill was discussed in Committee there was a very thin House, which was entirely in the hands of the Government, and although he insisted on a division against a clause more than usually extravagant, that clause was adopted. As to the cab question, Lord Derby could not have taken any means of informing himself as to the proceedings of this House, for although, unfortunately, the last number of *Hansard* had not yet been printed, there was *The Times*, and where could one refer for such a purpose except to the columns of *The Times?* It was true that proceedings in Committee were usually very much condensed, and that there was not often the advantage of finding all the details of the discussion given; and this was no ground of complaint, for it was a necessary mode of conducting the Reports of the House. In this instance, however, the noble Earl had not the excuse of the brevity of the Report, for on referring to *The Times* he found a statement entirely consistent with his own recollection, and he believed with the recollection of every hon. Member present at the time. The Report in *The Times* of his (Mr. Ayrton's) remarks on the cab clause — not a *verbatim* Report, but the substance of his speech—was as follows:—

> "There was no reason why, with so many lamps in the streets of London, the four-wheeled cab should be made to carry a lamp. If lights were thought necessary for vehicles, they should be required universally, instead of a particular class only being obliged to provide them. He hoped the Home Secretary would consent to strike out the requirement of lamps."

He presented, moreover, a numerously-signed petition on the subject. The noble Earl at the head of the Government gave the public to understand that there were no means by which he could find out that any objection was offered to the clause in question. The petition which he (Mr. Ayrton) held in his hand was signed by 175 cab proprietors, who represented that by Clause 1 it was proposed that between sunset and sunrise every cab should carry one lamp. They stated that this was a very objectionable clause, and would put them to needless expense and confer no public benefit whatever. He maintained that it was the duty of a Minister of the Crown, before undertaking the responsibility of asking the other House to agree to a Bill, to read the petitions presented against it, and to give due weight to them, and not persist, in spite of those petitions and the appeals of the representatives of the petitioners, in passing his Bill under the threat that unless their Lordships passed the measure as it stood it would be withdrawn altogether. He could not hold the noble Earl justified under these circumstances in stating to a deputation and to the country that this clause was passed unadvisedly, and without attention to details. He regretted that instead of the Government assuming the full responsibility of this measure, as they ought to have done, they had thus endeavoured to shift it upon the shoulders of those who were in no degree responsible for what had been done. His hon. Friend the Member for the City of London (Mr. Alderman Lawrence), who had presented the petition of the cab proprietors, objected to going on with the clause at all. All was done that could be done by himself and others, and yet the clause was passed by the Government in spite of their opposition. What was the pass to which the country had come? It seemed that the temperate and intelligent expression of the views of the people was disregarded by the Government; but the moment there was a demonstration out of doors and a scene of outrage the Government were ready, under the influence of their fears, to do what they would not do when an appeal was made to their sense of what was just. Such a mode of conducting the Government of this country was, to say the least of it, unfortunate. It tended to bring both the Government and the House of Commons into contempt. What was the merit of a representative assembly except that it took the decision of a public question from the hands of the people out of doors and remitted it to the deliberations of Parliament? But here this state of things was reversed. The deliberations of Parliament were treated with contempt by the Government, and if they acted at all it was when they were terrified by popular combinations. It was not the first time of late that this had happened. They knew that the clause affecting the use of street spaces was equally objected to, but without effect; yet when 50,000 costermongers were said to be in a state of excitement, then, and not before, the Government were prepared to give an intelligent attention to the subject. The misfortune was that it was impossible to get these matters properly considered. The other day, when Members in that House desired to have these matters considered, they were told by the Secretary of State that unless the clauses were agreed to he should withdraw the Bill. Let the House listen to one of the clauses of the Bill of last Session. It was provided—

> "No picture, print, board, placard, or notice, except in such form or manner as may be approved of by the Commissioner of Police, shall, by way of advertisement, be carried or distributed in any street within the general limits of this Act by any person riding in any vehicle, or on horseback, or being on foot."

A tradesman who was not one of the class who got up demonstrations asked him the meaning of this clause, whether it was not incumbent upon persons to send the proof sheets of their advertisements to the Commissioner of Police, and whether the clause did not make him the censor of a certain portion of the Press of this metropolis, because it seemed that both the form and the manner of these advertisements were to be approved by the Commissioner of Police. And many other of the clauses were equally ridiculous. Perhaps the best thing for the House to do was to make an Amendment on the Lords' Amendment as to lamps, and to place upon the Secretary of State the responsibility of carrying out his own measure. What the public objected to in this legislation was referring everything to the *arbitrium* of the Commissioner of Police, who was not responsible to any one, because he did not sit upon that (the Treasury) Bench, and over whom the inhabitants of the metropolis had no control whatever. It was beneath the dignity of the House to pass the clause as now proposed. The House should enact that all the rules and regulations should be approved by the Secretary of State, and then the inhabitants of the metropolis, if they were given up to the loosest legislation that ever was seen, would not at all events be handed over to an irresponsible officer like the Commissioner of Police. He thought these observations were justified by the course which the Government had taken. He regretted that a Member of the other House, holding the exalted position of First Minister of the Crown, without taking the trouble to ascertain what had been done, should have misrepresented what had taken place and thus entirely misled the public mind.

MR. GATHORNE HARDY: I am glad I did not make any statement when the Motion was put to agree to the Amendments of the other House; but if the hon. and learned Gentleman had not got up I was prepared to make a statement on that Motion. The hon. Member's remarks were utterly unwarranted by anything I said on receiving the deputation. I do not know what reporter was present at the deputation, but I understood no regular reporter was present, and there was none on my behalf to take any note of what was said. But the hon. Member for Dundalk (Sir George Bowyer) was present, and will bear me out in stating that I did not use a single word to throw any obloquy upon the metropolitan or any other Members of this House. [Sir GEORGE BOWYER: Hear!] I am perfectly content to take the responsibility which I incurred in going on with the Bill—not only of the present, but of the late Government—at a late period of the Session. And I regret the course which the hon. Gentleman has taken in saying that because of the late period of the Session the Bill was forced upon the House by the present Government. The Bill was supported by many Members on the hon. Gentleman's own side of the House, and if the division list is examined it will be found that the question was not between the two parties in the House. The hon. Member has intimated that the Government have been intimidated by the costermongers. Now, the only deputation I saw on the subject consisted of a clergyman and three or four other persons, and neither threats nor intimidation was used, for more respectable and quiet persons I never saw, nor have I heard one single threat on the part of the costermongers in respect to that measure. I knew, however, that it was a question of doubt whether the clause applied to the costermongers. It never was intended to do so, and when I saw there was a misconception which promised to do an injury to this body of men, I brought in a clause to remove it. With respect to cabs, the noble Lord (Lord Elcho) will remember that long prior to the meeting which took place, I had conversed with him, and suggested some amendment in the lamp clause [Lord ELCHO: Hear, hear!], and my only difficulty in making a concession, was the meeting and the outrage which took place afterwards. So far from any intimidation having been practised on the Government, I did not yield to what they required; and the suggestion was made by myself that they should leave the matter to my discretion, but I wholly refused to suspend a law passed by Parliament, as those know who were present. The hon. Member has called attention to a clause which he calls very ridiculous; but that clause received the sanction of both branches of the Legislature. The Bill was before the House for four months. It is true that the hon. Member proposed at a late period of the Session to refer the Bill to a Committee which was then sitting, and of which he was Chairman—the Local Management of the Metropolis Bill. I spoke to one of the Members of the Committee, and I found that they did not wish to meet again. I therefore concluded that the suggestion emanated from the hon. Member himself, and that the Committee could not fairly be called upon to take up the measure. The Amendment is a very simple one. It is to leave to the discretion of the Home Secretary the arrangement with respect to these lamps. That point seemed to me fairly open to consideration, and upon this, among other grounds, that there is considerable difficulty in placing the lamp properly in these four-wheeled cabs. It may seem simple, but if any hon. Member tries, he will find it by no means easy to fix upon the proper mode of doing it. Feeling that, and having expressed that, I did not at all set myself against a further inquiry. Even on the occasion when the hon. Member for the City (Mr. Alderman Lawrence) spoke on the subject in this House, it was in reference to one point only, and I think that both he and the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) will recollect that when the matter was discussed in the last Session of Parliament, it was said, "We are dealing with one isolated point in reference to hackney carriages, and the general subject will be open to further consideration. This only relates to the traffic in the streets." Now, I quite concur in that. With regard to what has fallen from the hon. Member as to my having objected to any improvement of the Bill as originally brought in, it happens that the reports of what is said in this House are sent by the Editor of the *Debates* to the various speakers, with a view to their being revised and corrected. I have had the report of the remarks I then made placed before me in the course of this morning, and I find that, instead of having objected to all improvement of the Bill, I called upon the House to consider it carefully, and stated my readiness to accept any Amendment which would effect a real improvement, although I said at a subsequent period I would withdraw the Bill if a proposal were carried which would have altered its whole complexion, and done away with clauses which I deemed useful. I said that if such a step were taken it would be my province to withdraw the Bill, instead of accepting Amendments from which I totally disagreed. I do not wish to introduce any personal feeling into this matter. The hon. Member has, however, spoken in a tone which was not called for by any remarks of mine either on the former or the present occasion. As respects what has passed in "another place," my attention has not been called to it, and it is rather unusual to discuss it in this House; but I am quite sure that if the noble Earl who has been referred to had possessed the information, he would not have concealed it in any way. What I referred to myself, and what, I have no doubt, the noble Earl referred to, was the circumstance that a cab proprietor went before the Committee of the House of Lords, and said that he did not object to the use of lamps. Indeed, that appears upon the evidence, as the hon. and learned Member for the Tower Hamlets very well knows. I think it was very unfortunate that attention was not more particularly directed to this point when the Committee of the House of Lords was sitting, and when it might have been thoroughly discussed. That Committee sat seven or eight times, and those who wished to give evidence had free access to it. It is true there was no Committee here; but I have never said that the question was not discussed in this House, for had I done so, I should have been not only forgetful, but worse, as I knew the hon. Gentleman the Member for the City had called attention to it more than once openly in the House, and that he had also spoken to me privately on the subject. Therefore, I can say that I did not utter a single word at the deputation about the metropolitan Members, or about any other Members of this House. What I said was, that the proprietors had not taken steps to have the matter brought before the House of Lords' Committee. I am sorry that my remarks were not properly reported; but I believe that no regular reporter was present, and that the published account was based on the recollection of some person after leaving the room. I think it will not be necessary for me to detain the House any longer. I have moved an Amendment which I believe will satisfy the cab proprietors without derogating from the dignity of this House.

Mr. KINNAIRD said, he thought the right hon. Gentleman ought to feel obliged to the hon. Member (Mr. Ayrton) for bringing this subject forward, as great misconception, in which he had himself at one time shared, existed out of doors. In the previous discussion he had certainly understood the right hon. Gentleman to say that he could not make any alteration in the measure. He was glad, however, that the impression then made had been removed by the right hon. Gentleman on the present occasion. In his opinion it was a serious evil that a temperate discussion of the subject in that House should have been delayed, and that concessions should have immediately followed a great public demonstration. This was not the first instance of such a course being pursued. At the same time, he thanked the right hon. Gentleman for having granted a concession which had put an end to the discontent that had been prevalent.

Lord ELCHO said, that having been present when the deputation waited upon the Home Secretary, he could confirm the account given by the right hon. Gentleman of what had then passed. He could bear testimony that the course adopted by the right hon. Gentleman on that occasion was perfectly consistent with his own dignity and that of the Government, while it was in no way injurious to the dignity of that House. At the same time, the right hon. Gentleman met in a fair and reasonable spirit the strong views expressed by the body of men represented at the deputation. He was also in a position, in consequence of his communications with his right hon. Friend and the First Lord of the Treasury, to state that the Government had not yielded to intimidation, as had been alleged by the hon. Gentleman behind him. It was said at the meeting of the proprietors and drivers that the holding out of a threat would be a difficulty in the way of inducing the Government to make a concession, and it was agreed that no threatening expressions should be used. He was certain, from the interviews which he had had with the Home Secretary and the Prime Minister, that if any threats had been made there would have been an end to anything like conciliation at the hands of the Government. In conclusion, he wished to express the pleasure with which he had listened to the remarks just made by his right hon. Friend.

MR. CHILDERS desired to remark, in reference to what his noble Friend had said respecting a threat not having been made, that the concession was made by the Government the day after the strike took place, and on the reception of a deputation from those who organized that strike. However, he was of opinion that the right hon. Gentleman had taken the proper course. The debates on this subject last Session, and during the present, would, he trusted, leave an impression on the minds of some hon. Gentlemen that the regulation of cab fares was not the first duty of the House, and that it might be better to leave the control of public vehicles to municipal management, as was done in other countries. When the right hon. Gentleman took up this question as a whole, and produced a comprehensive measure, it was to be hoped that he would bear this in mind, and would leave the arrangement of the details respecting hackney carriages to some body managing the affairs of the metropolis, who would deal with a matter of that kind much better than the House of Commons.

LORD ELCHO explained that he had referred to interviews with the right hon. Gentleman before what was called the strike had taken place.

MR. ALDERMAN LUSK said, it was as well to speak the truth when one knew something of it. It was only fair to the Government to state that a week or ten days ago he had a conversation with the Member for Ayrshire (Sir James Fergusson) on this subject, and the hon. Baronet stated that it was the intention of the Government to treat the question as fairly and liberally as possible in the spring after the Recess. He did not agree that the Bill had been passed without consideration; and he might mention that he had himself called attention to and protested against the clause respecting 1*s.* on the stand and 6*d.* off the stand fare. He believed that most hon. Members knew very well what were the contents of the Bill, and mentioned several points alluded to during its discussion to show that they did know. He was pleased to find that the whole subject would come under review so soon.

SIR GEORGE BOWYER said, he was present at the Office of the Home Secretary when the deputation from the cab-owners was received, and he desired, therefore, to express his concurrence with every word that had fallen from the right hon. Gentleman the Home Secretary in his account of what had passed there. With regard to the remark of the hon. Member for the Tower Hamlets (Mr. Ayrton) about the costermongers, he wished to say that it was he (Sir George Bowyer) who had mentioned them as numbering 50,000, for he said that if the Bill passed as it stood, 50,000 costermongers would be deprived of their livelihood; but neither he nor any one on their behalf had said anything about the excitement occasioned among them. He was very much surprised at the feelings which had been manifested on the Opposition side of the House, and especially at the cheering from the front Opposition Bench at the statement made by the hon. Member for the Tower Hamlets that the Government had yielded to popular demonstration. He certainly did feel some surprise at that manifestation, and his only regret was that the right hon. Member for South Lancashire (Mr. Gladstone) was not in his place to give the House his views on the subject of popular demonstration.

MR. NEATE bore testimony to the accuracy of the statements which had fallen from the hon. Gentleman the Member for the Tower Hamlets. He had taken part in the former debate, and he protested then, as he protested now, against any legislation imposing on hired carriages any obligation of the kind that was not imposed on private carriages.

MR. GOSCHEN said, the right hon. Gentleman the Home Secretary had now made a concession in this matter, which he would not make in response to the representations of Members of that House when the Bill was discussed last Session, and he wished to know what argument had lately been used other than those arguments used before, of sufficient strength to convert the right hon. Gentleman. The question was not simply one between the right hon. Gentleman and the metropolitan Members, but between the right hon. Gentleman and Members of Parliament expressing their views in that House. It would be a most deplorable thing if the public should be led to believe that the opinions put forward in that House were passed over and allowed to have no effect until deputations from public meetings should wait upon the Home Secretary. Those who had taken part in the discussion on the Bill when it was before the House were considerably hurried by hon. Members on the opposite side of the House. Upon one point — whether the regulations of the police were to be sanctioned either by the Home Secretary or by Parliament — he himself had asked a Question; but the right hon. Gentleman had replied to him in the curtest possible manner, and said that he did not think that would be done.

Sir JAMES FERGUSSON said, the answer to the question of the hon. Member was very simple. The alteration promised by the right hon. Gentleman the Home Secretary to the deputation was, that the discretion as to enforcing a certain clause should be left in the hands of the Home Secretary, instead of those of the Commissioners of Police. That alteration was not made previously, because it had not previously been asked for or proposed. The discretion as to dealing with costermongers was also left to the Secretary of State. With regard to the question of general legislation, it had been stated over and over again that the main question was reserved.

Mr. Alderman LAWRENCE said, the right hon. Gentleman the Home Secretary seemed to be under the impression that the Bill had been introduced by the late Government, which was not the case. [Mr. Gathorne Hardy: I said a Bill was introduced last Session.] This particular Bill was not introduced by the late Government, but it was launched in the other House by the Under Secretary for the Home Department. The right hon. Gentleman was aware when the Bill was under consideration what was the opinion of the metropolitan Members, and that numerous petitions had been presented against the various clauses of the Bill. The Committee to which it was sent in the other House was not an open Committee, and it only sat four or five days, no one being allowed to be present during the sittings except the witnesses under examination, and many persons who were anxious to be heard had had the doors closed against them. He regretted the course which had been taken with regard to this Bill, for it was impossible to deal with the trade and commerce of this metropolis upon a Report of a Select Committee of the House of Lords sitting in private. And although the Bill was sent down to that House in March or April, it was not brought forward until the 14th of August, when from the state of the House it could not be opposed with any hope of success. The House had never heard a word of the measure having been one of the late Government's Bills until it got into difficulties, and then the Home Secretary said "unfortunately it is a Bill which we took up from the late Government." [Mr. Gathorne Hardy: I did not say "unfortunately."] When the Bill was prepared by the late Government it was fully understood that it was to go before a Select Committee of the House of Commons; but it had not been so committed. The clauses with respect to the costermongers and the cabs were the only clauses which had yet been put into operation, and they saw with what result. Almost the first day of this Session the costermongers had obtained the introduction of a Bill to amend the measure passed almost on the last day of last Session.

Mr. AYRTON, as an Amendment upon the Lords' Amendment, proposed to leave out the words "in respect of the carriage of lamps by hackney carriages," so that the clause would run—

> "No regulations shall be made in pursuance of the Metropolitan Streets Act, 1867, except with the approval of one of Her Majesty's principal Secretaries of State."

His intention was that the Amendment should apply to all the clauses of the Bill, so that the police should be unable to make any regulations without the approval of the Home Secretary.

Mr. GATHORNE HARDY said, that if this Amendment were carried it would be, in fact, necessary for the Secretary of State to interfere in the smallest *minutiæ*, and the administration of the law would be so impeded that it would be almost better not to have any law at all. It had been said that the Act of last Session had proved a failure in the only two cases where it had been applied. But in the City the regulations which had been drawn up for the traffic of the streets had been put up for twenty-eight days, as the Act required, and they were found so advantageous that not a single objection had been raised to them. These regulations did require the previous sanction of the Secretary of State.

Question, "That the words proposed to be left out stand part of the said Amendment," put, and *agreed to.*

Lords Amendment *agreed to.*

ADJOURNMENT OF THE HOUSE.

On Motion, "That the House, at its rising, do adjourn till To-morrow,"

POST OFFICE—WEST INDIA PACKET STATION — THE ISLAND OF ST. THOMAS.

QUESTION.

MR. GILPIN asked the Secretary to the Treasury, Whether there would be any objection to lay upon the table of the House a copy of the correspondence between the Treasury, the authorities of the Post Office, and the Royal Mail Steam Company as to the retention of the Island of St. Thomas as the chief West India Packet Station; and whether the attention of the Government had been called to the lamentable loss of life on board the Royal Mail steamer *Tamar*, consequent on her calling at the Island of St. Thomas? He had no interest, direct or indirect, in any ocean steamer; but was induced to call attention to this subject from motives of humanity, as he found that the lives of the crews and passengers of the packets were endangered by the continual existence of yellow fever in the Island. As St. Thomas had just changed hands, and had become an American instead of a Danish possession, and the Post Office buildings and the wharves had been destroyed in the late hurricane, this was a suitable time for choosing another mail packet station.

MR. KINNAIRD also desired to ask the hon. Gentleman, whether he was in communication with the Admiralty on this question? In the opinion of many St. Thomas was a most inconvenient port of call, as well as unsuitable because of the constant prevalence of yellow fever there. Why not select our own Island of Jamaica, where there was an excellent harbour, and where, in case of detention, there were hills to which passengers might resort? Before re-constructing the buildings destroyed in the storm, he thought it was worth consideration whether it would not be wise to make one of our own islands at any rate the mail packet station, Instead of expending capital in an Island now transferred to the United States. He hoped the attention of the noble Duke the Postmaster General would be turned to this subject.

MR. THOMAS CAVE said, that a case had come to his knowledge in which a gentleman who was to have received the wife of a friend on landing had had the painful task of writing to her husband to say that she was dead. The efforts of the magnificent Company so ably presided over by a noble Lord on the other side of the House were entirely neutralized by the fact that we would persist in calling at this hotbed of disease. The vessel of the Panama Company reached Panama from New Zealand three days before her time; the passengers were transferred to the *Tamar*, and reached St. Thomas in perfect health, but on the voyage thence and before she reached England she had several fatal cases. Occurrences of this kind had almost ruined the Panama Company.

MR. HUNT said, that the subject was undergoing very careful consideration, but there was no correspondence at present to be laid upon the table. The communications between the Treasury, the Colonial Office, and the Admiralty, which had taken place had been entirely unofficial, and the communications with the Company were only verbal. The whole matter would be very carefully considered during the Recess, and he hoped when the House met again he should be able to make some announcement of the decision that would have been come to.

Motion *agreed to.*

House at rising to adjourn till *To-morrow.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PRIVILEGE—PRODUCTION OF PUBLIC DOCUMENTS.—OBSERVATIONS.

MR. DARBY GRIFFITH, seeing the hon. Member for Southwark in his place, rose to call attention to a question of which he had given him public and also private notice, affecting the privileges of hon. Members and the rules of debate in this House. He said that in a debate which was brought on by Lord Cairns, then Sir Hugh Cairns, in June, 1865, on the subject of the proceedings of the late Government in respect to Abyssinia, the hon. Member for Southwark (Mr. Layard) quoted certain documents in the course of his speech, and when interrupted and asked several times by the hon. Member for Poole (Mr. Henry Seymour) and Sir Hugh Cairns whether those documents had been laid upon the table, the hon. Gentleman gave a promise that they should be produced. The papers, however, were not laid upon the table during the whole period in which the hon. Member held office. Late in the Session of 1866 a gentleman came to him (Mr. Darby Griffith), and said that the papers had not been laid upon the table. He accordingly moved for them, and they had been produced on his Motion. The rules of the House on this subject were very important. They required that no paper should be quoted by a Minister which had not been laid upon the table—otherwise a Minister might take advantage of quoting papers of which the House had no knowledge. The hon. Gentleman might represent in explanation of his conduct that, on examination, he found that those papers contained something affecting the character of individuals or injurious to the public, and therefore he did not produce them. But he (Mr. Darby Griffith) submitted that it was the business of the hon. Gentleman, before quoting from papers, to make himself acquainted with their nature.

Mr. LAYARD said, he had no reason to complain of the manner in which the hon. Gentleman had brought the subject before the House. No time had been specified for laying the papers on the table, and no Motion had been made for their production. He did not wish, however, to rest his defence on any technicalities. The simple facts of the case were these:—when he spoke on the occasion referred to, the papers were printed with the intention of laying them on the table. A very short time afterwards, however, it was decided that Mr. Rassam should be sent to Abyssinia, and it was thought most advisable by Mr. Rassam, the missionaries, Colonel Merewether, and other gentlemen best acquainted with the subject, that nothing should be allowed to transpire with respect to Mr. Rassam's mission. That was the reason the papers were not produced. They had now been laid upon the table, and hon. Gentlemen knew what they were. So far from containing anything injurious to the Government, their tendency was to justify the Foreign Office in the proceedings which had been taken, and he would have been only too glad to have produced them.

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Friday,* 14th of February.

ABYSSINIA — CORRESPONDENCE BETWEEN DR. BEKE AND OTHERS AND THE FOREIGN OFFICE.—MOTION FOR PAPERS.

Mr. NEWDEGATE, who had given notice, said he would not persist in the Motion on this subject, which he had intended to make, inasmuch as it was included in that of which the hon. Member for Southwark (Mr. Layard) had given notice.

Mr. LAYARD said, it was with very deep regret that he felt it his duty to detain the House for a short time. He had already had occasion to mention that a very unusual course had been pursued in preparing the blue book on Abyssinia, which had been recently laid upon the table. In that blue book, letters which had appeared in the public papers containing reflections of a calumnious character had been reprinted on the authority of the noble Lord at the head of the Foreign Office, and, consequently, had gained from that authority an importance which would not have attached to them as mere newspaper correspondence. He more particularly referred to a letter from Dr. Beke to the Earl of Clarendon, dated June 11, 1866, which had been reproduced in the blue book, and contained reflections of a very calumnious nature upon himself and others. Why that letter had been published he did not know, for no explanation whatever had been given on the subject. The noble Lord said that evening that there had been a quarrel between certain persons—referring, he presumed, to himself (Mr. Layard) as one of the parties. But there had been no quarrel at all on his part. He had never taken notice of any communications from Dr. Beke, whether to the newspapers or otherwise, as long as those communications did not receive the sanction of the Foreign Office by publication. But the case was entirely altered by the degree of solemnity which was given to them by their publication in the blue book, and he felt that he owed it to himself to bring the matter before the House;

especially after what had passed during the last week. The House would allow him to read part of this letter of Dr. Beke to the Earl of Clarendon. Dr. Beke said—

> "On my arrival in Alexandria last November, I heard openly repeated, in the presence of several English gentlemen (some of whom I believe to be now in England), matters affecting the personal character of two gentlemen who have unfortunately been named in connection with the subject, of which matters Mr. Palgrave was said to be the promulgator. . . . . . . With Mr. Palgrave's statements to me your Lordship has been made acquainted. Those relating to the two gentlemen alluded to were little more than an amplification of what I had previously heard in Alexandria. I therefore owe no apology to any one for repeating what was common talk in Egypt before my arrival in that country; but I do owe it to myself to say that I should not have condescended to advert to such a subject in my correspondence with Mr. Purday had it not been for the apprehension (entertained by others as well as myself) that the alleged ill-feeling towards Mr. Stern, on account of what had occurred in Mesopotamia, might have been carried over into Abyssinia."

He then said that he had heard that Mr. Palgrave's instructions were to ask for the liberation of Consul Cameron alone, and that Mr. Stern was to be neglected because he (Mr. Layard) had a quarrel with him. This was a most serious charge; but he should have taken no notice of it had it not appeared in the blue book. That letter contained accusations against his personal character which were really so shocking and so odious that he would not venture to repeat them in public. There were also accusations against Mr. Rassam of a description which he could not do more than allude to. There were likewise distinct accusations against Mr. Palgrave's character as a gentleman and a public servant. He had ventured the other evening to refer to and refute the charges which had been made against Mr. Rassam; but he should have taken no further notice of the accusations against himself had they not appeared in an official form, and had he not been challenged by the hon. Member for North Warwickshire (Mr. Newdegate) to move for the production of the correspondence. That challenge he could not but accept, though he did so with regret, not on his own account, but on account of Dr. Beke, whom the publication was calculated to injure. Those letters had been characterized by the noble Lord (Lord Stanley) as they deserved, and if they appeared publicly, it would be only Dr. Beke's character that would suffer. When, however, the noble Lord expressed his willingness to produce the papers on condition of omitting all that related to other persons, and giving only what related to himself, he could not for a moment agree to so unfair a proceeding. As regarded his personal character, indeed, he was quite willing to leave that to the public, for he trusted his reputation would not suffer from any accusation of this kind; but, in order to justify his conduct in the eyes of the House, it was of the utmost importance that it should be shown that Dr. Beke had made similar accusations against other persons—for instance, against Mr. Palgrave—every one of which accusations that gentleman characterized—he was sorry to have to quote the expression—as a "malicious lie." He trusted that the noble Lord, after what had happened in the House, would produce the whole correspondence, as this was only just and fair. If he refused all he could say was that he had done his best, and had invited the fullest publicity, in order to put himself right and justify what he said the other evening. If the whole was given, he should willingly accept it; but he thought the House would see that he was justified in objecting to a partial publication.

Motion made, and Question proposed,

> "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House a Copy of the Correspondence between Dr. Beke, Mr. Purday, Mr. Palgrave, and the Foreign Office, referred to in the Letter from Dr. Beke to Lord Clarendon, dated the 11th day of June 1866, published in a recent Blue Book.—(*Mr. Layard.*)

Lord STANLEY: I am sure the House will understand that in the personal part of this question the present Government are entirely disinterested. With regard to Dr. Beke, I have only seen him two or three times. I never saw him before I acceded to my present office, and I have no personal connection with him. I am not in the slightest degree his partizan, nor have I any wish to take his part in the matter. As to the insertion in the blue book of the despatch of which the hon. Member for Southwark (Mr. Layard) complains, the difficulty I felt as to excluding it was this—it formed a part of that series of transactions which has necessarily come under the notice of the House. When a personal and a public question are mixed up it is difficult to decide what to put in and what to leave out. Only three courses are practicable. If you suppress the whole correspondence because it has a personal and offensive tendency, you expose yourself to the charge of keeping back what it is material on public grounds the House should know. If you include a part only, you lay yourself open with equal plausibility to the charge of garbling the correspondence and producing only what serves your purpose. If, again, you publish the whole, you leave no room for accusations of that kind, but you give publicity to many things which it would be much better in the public interests to leave out. As to the appeal which the hon. Gentleman has made to me, my wish was to produce anything which was necessary to his defence against any personal attack, but not to publish more of these personal matters than was necessary for that purpose. At the same time, I cannot deny the force of the hon. Gentleman's argument that if accusations were made against him, and are also made by the same person against other individuals, the credibility of one set of accusations is very much affected by the credibility of any other set. On the whole—though I confess that on public grounds I feel some regret—I am bound to say that after the personal appeal of the hon. Member there is no option on my part but to publish the whole correspondence. I need hardly say that as far as the present Government are concerned they can have no motive for suppressing anything whatever.

Mr. NEWDEGATE said, that that being the noble Lord's conclusion, he rose to move, as a rider to the hon. Gentleman's proposition, for the production of portion of a letter addressed by Dr. Beke to the Secretary of State for Foreign Affairs, dated the 14th day of October, 1867, relative to a conversation between him and Mr. Palgrave, at Cairo, in December, 1865. He was sure the House would believe that he would be the last man to thrust upon it documents which, as the hon. Gentleman's description of them had shown, were unfit for publication. ["Oh!"] There was no other interpretation to be placed upon his words. But though he (Mr. Newdegate) had not seen the letter for which he now moved, he knew there were parts of it which, in justice to Dr. Beke, it was essential to produce, if the Motion of the hon. Member for Southwark were acceded to. The hon. Gentleman (Mr. Layard) had said that there was no ill-feeling on his part or on Mr. Rassam's

towards Mr. Stern. Now, the hon. Gentleman's memory must surely have failed him, for he held in his hand a letter from Mr. Purday, brother of Mrs. Stern, which showed that the hon. Member had impressed Mr. and Mrs. Stern with the feeling that he was actuated by hostile feelings towards them. [Mr. Layard: Oh!] The hon. Member must excuse him; but after the remarks he had offered it was necessary that he should read a portion of the letter. [Mr. Layard: What is the date of it?] It was dated the 17th of January, 1866, and was addressed by Mr. C. H. Purday, from 24, Great Marlborough Street, to Mr. Stern. The hon. Member read a passage from the letter, to the effect that Mr. Stern knew both Mr. Layard and Mr. Rassam at Mossul; that a remonstrance he offered on some matter led to an open rupture with them; that on Mr. Stern seeing Mr. Layard some time afterwards, the latter behaved in a very disagreeable way, and that there was an old grudge on Mr. Layard's part against Mr. Stern. This letter proved that Mr. and Mrs. Stern were impressed with the opinion that the hon. Member did not feel kindly and had not acted kindly towards them. His sincere wish was that the hon. Gentleman would withdraw his Motion; but unless he did so, he (Mr. Newdegate) was bound, in justice to Dr. Beke, to press his Amendment. He would not, however, be a party to the production of anything which it was unbecoming to produce.

Amendment proposed,

At the end of the Question, to add the words "and such portions of a Letter, addressed by Dr. Beke to the Secretary of State for Foreign Affairs, dated the 14th day of October 1867, relative to a conversation between him and Mr. Palgrave at Cairo, in December 1865, as bear upon the foregoing Correspondence."—(*Mr. Newdegate.*)

Mr. LAYARD said, this was only an instance of the manner in which this miserable question had arisen. In the first place, he had never met with Mr. Palgrave in his life until he saw him for the first time three years ago in this country, and it is a pure invention that I met him at Mossul. That he ever had the slightest difference with Mr. Stern was also a pure invention. He knew him as a missionary at Bagdad, but he knew very little of him; and it was absurd to suppose that Mr. Stern, a captive, thousands of miles away, could have given

Mr. Purday any information on the subject. The whole thing was utterly and completely without foundation. But suppose that he did quarrel with Mr. Stern twenty years ago at Bagdad, did the House imagine that he or any other English gentleman would allow him on that account to be left in captivity? He appealed to the sense of honour and justice of the hon. Member for North Warwickshire. He could not, and he would not, consent to the proposal of the hon. Member opposite that the letters should be mutilated and only those parts produced which suited the purpose of Dr. Beke. In his opinion, either the whole or none of the correspondence should be produced.

LORD STANLEY: The circumstances have altered since the hon. Member for North Warwickshire (Mr. Newdegate) first put his Motion upon the Paper. I then understood that the intention of the hon. Member was merely to ask for such portions of the correspondence as would enable Dr. Beke to vindicate his character from certain charges that had been brought against him. Acting upon that belief, I urged on the hon. Member the propriety of omitting those portions of the correspondence which appeared to convey imputations upon other persons. As the matter now stands, however, the hon. Member opposite (Mr. Layard) having expressed a desire that the whole of the letters should be published, the responsibility would lie upon me were I to withhold any part of them. I regret very much that we should have got into these discussions at all. For my own part, I have never attached the slightest importance to the imputations that have been thrown out against the hon. Member for Southwark. I sincerely hope that the matter will now end, as the whole of the papers will be laid upon the table.

MR. OTWAY objected altogether to the country being put to the expense of printing and circulating a correspondence like that referred to, merely for the gratification of certain individuals. The whole thing appeared to him to be nothing more than malicious and ill-digested gossip. He objected altogether to the Motion of the hon. Member for North Warwickshire, or that we should mix ourselves up with the quarrels of parties of whom we know nothing, and in whom we have not the slightest interest.

MR. NEWDEGATE rose to address the House—

MR. SPEAKER: The hon. Gentleman has no reply.

MR. NEWDEGATE: I am aware I have no reply; I rose to explain. When an hon. Member has had words put into his mouth he is usually permitted by the Speaker to correct the misrepresentation. The hon. Member has stated that I did not desire the production of these papers.

MR. SPEAKER: The hon. Member (Mr. Newdegate) has moved for these papers, and therefore it is to be presumed that he desires their production. He is out of order in endeavouring to address the House.

Question, "That those words be there added," put, and *negatived.*

MR. NEWDEGATE: Not having spoken upon the original Question, I am now entitled to address the House.

MR. SPEAKER: The hon. Member must wait until the original Question is put before he can speak.

Original Question again proposed.

MR. NEWDEGATE again rose—

MR. SPEAKER: The hon. Member is out of order. Having moved an Amendment upon the original Question, he cannot speak again upon that Question.

MR. NEWDEGATE: What is the Motion before the House?

MR. SPEAKER: I have just stated what the original Question is. Upon that Question the hon. Member moved an Amendment, which has been negatived, and the House will now therefore proceed to divide on the original Question. In moving the Amendment the hon. Member spoke upon the original Question, and therefore he cannot speak again.

MR. NEWDEGATE: Sir, I beg your pardon. I rise on a question of order. During this Session—["Order, order!"] —If the House will permit me for one moment—During this Session you have debated order with me four or five times. If I have transgressed order I can only express my regret, as I never intended to do so. You have on four occasions, when I have brought this subject before the House, interrupted me, and the House has afterwards on those occasions consented to hear me. I do therefore most humbly and most respectfully express a hope that you will show me more consideration hereafter.

MR. SPEAKER: It would be very fitting, if the hon. Member thinks he has been improperly interrupted by me, that he should state the occasions of which he complains. I have to state that on the present occasion I have felt myself bound to enforce the Rules of Order with more stringency than is my desire, in consequence of the hon. Member persisting in his desire to speak contrary to the Rules of the House. I have been compelled to state what the Rules of the House are, and that the hon. Member cannot make a second speech upon this Question.

Main Question put, and *agreed to.*

Resolved, That an humble Address be presented to Her Majesty; that she will be graciously pleased to give directions that there be laid before this House, a Copy of the Correspondence between Dr. Beke, Mr. Purday, Mr. Palgrave, and the Foreign Office, referred to in the Letter from Dr. Beke to Lord Clarendon, dated the 11th day of June 1866, published in a recent Blue Book.

House adjourned at Seven o'clock.

HOUSE OF LORDS,

Saturday, December 7, 1867.

MINUTES.]—Public Bills—*Royal Assent*—Consolidated Fund (£2,000,000) [31 *Vict.* c. 1]; Income Tax [31 *Vict.* c. 2]; Sales of Reversions [31 *Vict.* c. 4]; Drainage and Improvement of Lands (Ireland) Supplemental [31 *Vict.* c. 3]; Metropolitan Streets Act (1867) Amendment [31 *Vict.* c. 5]; Totnes, &c. Writs [31 *Vict.* c. 6].

The House met; and having gone through the business on the Paper, without debate—

House adjourned at a quarter past Twelve o'clock, to Thursday, the 13th day of February next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Saturday, December 7, 1867.

MINUTES.]—Public Bill—*Ordered*— Public Departments (Extra Receipts)*

First Reading—Public Departments (Extra Receipts)* [26].

The House met at Twelve of the clock.

IRELAND—ILLEGAL PROCESSIONS.

QUESTION.

Mr. LANYON asked the Chief Secretary for Ireland, Whether the attention of the Government has been directed to the accounts of the Procession, with party emblems, which took place at Cork on Sunday last, and also to the announcements which have been made of a similar display to take place in Dublin on Sunday next; and what course the Government intend to adopt in reference to same, so as to insure an impartial administration of the Party Emblems Act?

The Earl of MAYO: When the report of the intended procession at Cork reached the Irish Government, the same course was taken with regard to it as had been taken on many similar occasions. That is to say—the constabulary were directed to watch carefully the movements of all parties taking part in the assembly, and to note down their names, and they were also instructed, in the event of any breach of the Party Processions Act or of any other law occurring, to report that circumstance immediately to the Government. It was doubtful, on the information received by the Irish Government, whether there was any breach of this particular Act; but I have directed that all the reports forwarded by the resident magistrates, the local authorities, and the constabulary should be laid before the Attorney General and the other Law Officers of the Crown, with a view to ascertain their opinion as to whether, on the face of those reports, any infringement of the law took place. If it be their opinion that that particular Act has in any way been infringed, every effort will be made to render the parties who are considered to have infringed it amenable to justice. I must, however, remind the House that it is the duty of the Executive Government not to make laws, but to administer them. Our determination is to walk strictly in the course of the law; and in the exercise of those extraordinary powers which Parliament has given us, we shall adhere strictly to the conditions on which those extraordinary powers were placed in our hands. If the law has been broken, we shall not be deterred by threats or displays of force from punishing the violators of it; and, on the other hand, we shall not be driven by misrepresentations or by accusations of mistaken leniency either to strain the law or to act otherwise than in strict conformity with its provisions. In my opinion, these displays are greatly to be deprecated. They have for their object—a very intelligible object, no doubt—the elevation of an act of murder into an act of patriotism. With regard to that portion of the hon. Gentleman's Question which refers to the future, I can only say that the Government must be guided by circumstances as they arise. If these displays continue, serious questions may be raised. Every assembly which is deposed to by independent persons as being calculated to lead to riot and disturbance is an illegal assembly, and every meeting which is ostentatiously held for treasonable purposes is an illegal assembly. If information reaches the Government that these displays partake of that character, it will be for the Government to consider how they may best vindicate the law and preserve the general peace of the community.

Sir PATRICK O'BRIEN said, that perhaps the noble Lord would supplement his answer by stating whether the opinion of the Law Officers of the Crown had been or would be taken in anticipation of the meetings referred to, so that those who might be about to take part in them might be forewarned?

The Earl of MAYO: The Government will take no action except upon the opinion of the Law Officers of the Crown. It is the wish of the Government to act strictly in conformity with the law. If they should find it necessary to do so, they would issue a Proclamation warning the people of the illegality of these displays.

ABYSSINIAN EXPEDITION—BOUNTY TO VOLUNTEERS.—QUESTION.

Mr. DARBY GRIFFITH, seeing the Secretary of State for India in his place, wished to ask. If it is true that Sir William Mansfield is offering a bounty of £3 4*s*. per man to persons wishing to join the Abyssinian expedition? The reason why he asked the Question was, that the right hon. Gentleman the Secretary of State for India had the other night assured them that the military control of the expedition was left entirely in the hands of Sir Robert Napier, which could not be the case if Sir William Mansfield was at liberty to interfere in it.

Sir STAFFORD NORTHCOTE: I have not been able to consult the official correspondence since the hon. Member gave me private notice of his intention to put the Question; but to the best of my recollection there was nothing in the letters received yesterday which referred officially to this subject. It was, however, stated to me in a private letter that Sir William Mansfield was of opinion that a bounty should be given, but that Sir Robert Napier did not think it necessary.

ADJOURNMENT OF THE HOUSE.

Moved, "That the House, at its rising, do adjourn till *Thursday*, 13th February."

ABYSSINIA—MISSION OF MR. RASSAM.

OBSERVATIONS.

Mr. SCHREIBER rose, pursuant to notice, to call attention to the absence, in the papers laid before Parliament, of all official information respecting Mr. Rassam's Mission between the 28th of January and the 18th of April, 1866. He thought these letters necessary to throw further light on the Abyssinian question. He did not know who was responsible for the preparation of the Abyssinian blue book, but he complained of it as meagre and ill-arranged, and observed that, upon the face of the papers it contained, it would not be difficult to construct a more substantial defence of King Theodore than he liked to contemplate. Where, he asked, was the copy of the Queen's letter to King Theodore, which Mr. Rassam was sent to Abyssinia to deliver?

Sir PATRICK O'BRIEN said, that on coming down to the House he had nc intention of re-opening the Abyssinian discussion; but as the hon. Member for Cheltenham (Mr. Schreiber) had deemed it necessary to do so, he claimed the noble Lord's (Lord Stanley's) permission to call attention to a matter connected with it, which he had heard mentioned in some circles in London, as to the accuracy of which he was bound to say he was not prepared to vouch, his information depending on hearsay, but in reference to which the noble Lord might be enabled to give information. As he was informed, a French nobleman, the Comte de Buisson, who, before the period of the Neapolitan revolution, had been an officer in the service of the King of Naples, after the capitulation of Gaeta proceeded to Abyssinia, accompanied by some of his countrymen. It was stated that he became popular with some of the tribes in that country, and after a time had attained a position of consequence among them, having formed a kind of colony or small State of which he was recognised the chief. The story went that, owing to the interference of the Egyptians on the frontier, his settlement had been broken up, and he had to remove into the interior, where he presented himself to the Emperor Theodore and established with him the most friendly relastions—to such an extent, he (Sir Patrick O'Brien) was informed, as to leave the country when he pleased, and to visit and return from Paris as occasion required; in short, that Theodore's conduct towards Comte de Buisson was civilized and indulgent rather than otherwise. A person standing in such a relation to that potentate might naturally be supposed to have considerable influence with him, and would be likely to effect more in the way of mediation than those gentlemen who, on the ground of military and adventurous qualifications, had tendered their services as described in the blue book, and had had them declined by the Government. He wished to ask, was it true that Comte de Buisson had so offered his assistance in obtaining the release of the prisoners?—for if he had, he could not imagine that any jealousy of French interference could for a moment affect the action of the Foreign Office in accepting it. The war was a serious matter: of the evils which might arise from it, one at least was certain, it would deeply affect the taxpayers of the kingdom. He (Sir Patrick O'Brien) had heard from a distinguished officer who had served in the war in Affghanistan, and who had the best means of forming a judgment upon the probable cost of the present expedition, that should our stay in Abyssinia be protracted till after April, not £2,000,000, but £10,000,000 or £12,000,000 would be most probably the sum we should have to pay; and he felt that in so serious a question every effort should be made to avert the necessity of an inglorious and costly war.

Colonel SYKES said, it might reasonably be hoped that the expedition would not cost us £10,000,000 or £12,000,000, as the last letter received from Mr. Flad stated that King Theodore had not above 8,000 men with him, and that they were chiefly peasants, who might be easily ridden over by a couple of squadrons of our cavalry. Theodore was also hardly pressed by the King of Shoa, who was at the head of considerable forces. This Prince was asking for aid from us, had sent presents to the Queen, and received in return a number of gifts, some of which were formerly intended for King Theodore.

Mr. DARBY GRIFFITH called attention to the proposed Conference on Italian affairs, pointing out that it was so far satisfactory that the Emperor of the French, though having Italy prostrate at his feet, felt bound to consult in a Conference the enlightened opinion of Europe.

Lord STANLEY: I have stated more than once the position which Her Majesty's Government hold with respect to this proposal for a Conference, and I do not know that there is any necessity that I should repeat what I have said. Of course, if the question with which the Conference would have to deal could be settled in a satisfactory manner it would be a great gain to Europe; but so far from that being probable, there is no certainty that the Conference will meet at all. For my own part, I do not see how the opposite and conflicting claims of the Pope on the one hand, and the Italian Government on the other, can be adjusted. If any plan for the purpose can be proposed we shall be bound to consider it; but I have seen no such plan up to the present time. That is the situation of affairs just now, and I have nothing more to say on the subject. With regard to the appeal made to me by my hon. Friend (Mr. Schreiber) as to letters or despatches from Mr. Rassam, there is one dated the 12th of February, 1866 (enclosed in a letter from Colonel Merewether), not included in the blue book which has been moved for, and which will be laid on the table. There has been no other despatch from Mr. Rassam during the time that I have been in office of which I am aware. I believe the explanation of that is partly that the information sent home was to a great extent conveyed in private letters, and partly also that Mr. Rassam found considerable difficulty in communicating with the Foreign Office. I may, perhaps, take this opportunity of stating that it is my intention during the Recess to have all the papers relating to Abyssinia carefully examined; inasmuch as there may probably be in the archives of the Foreign Office some papers of importance of an earlier date than those published in the blue books. The House has already every information with respect to those which have been received since I came into office; but in the earlier stages of the proceedings there may have been papers which it was thought at the time it would be imprudent to publish, lest they might compromise the safety of the prisoners. At all events, I will have all the papers of the earlier years looked through, and I dare say there are some which may be considered worth laying before the House. With regard to the French gentleman referred to by the hon. Member for the King's County, as being resident in Abyssinia, and the French colony established by him, I do not know anything. I am not aware that that gentleman's relations with King Theodore are or were very intimate, and I must say I doubt whether his mediation would be of any avail. I do not say that from any feeling of jealousy as to French influence or French intervention. We are on the best possible terms with the French Government, and I have no doubt that if it were in their power they would help us out of the difficulty.

POSTAL SERVICE WITH THE UNITED STATES.—OBSERVATIONS.

MR. AYRTON called attention to the proceedings of Her Majesty's Government respecting the Postal Service between England and the United States; and asked the Secretary of the Treasury what course they intend to pursue? It was generally admitted that our intercourse with the United States was so extensive that we had arrived at a point when it was undesirable that any contract should be made in the nature of a subsidy for carrying the mails, or giving encouragement to one Company at the expense of others. The true interest of this country consisted in encouraging the greatest amount of competition. The Government, acting upon that view, had invited tenders for the mail service, and several companies sent in proposals. The Bremen Company tendered for Tuesday; the Messrs. Inman for Thursday; the Hamburg Company for Friday; and he believed Saturday was left open as the day for the Cunard Company. Thus proposals were made for a service four times a week; and there was no reason why one Company should have any advantage over another, provided they rendered the same service in the same, or nearly the same time. There was also a fifth Company which made a tender, but it was said that it was for such a slow service that New York would be reached as soon by the succeeding steamboat. If that were so, it would be a sufficient answer. But he understood that the Government had accepted the tenders for Tuesday and Thursday, but not for Friday. He would like to know upon what grounds the Government had declined to accept the tender for that day. Was it thought that the service would not be sufficiently expeditious, or that the sum demanded was excessive? It appeared to him that there was no reason for rejecting the tender on these grounds. But he was told that the Hamburg steamboat taking the mails from Southampton on Friday would come into competition with the Cunard boat starting on Saturday evening. But then it should be borne in mind that the Hamburg boats starting from Southampton would require only 4 hours between the closing of the mail in London and the departure from Southampton; while the Cunard boats, though professing to go in a shorter period, starting from Queenstown, would require 18 hours. If therefore they added to the length of the voyage of the Cunard boat the difference between 4 hours and 18, it would seem that the tender of the Hamburg Company for 11½ days would be very nearly equal to that of the Cunard Company. If that were so, it was quite clear that it would be for the advantage of the public that there should be a despatch of mails on Friday as well as on Saturday. Now, it would be well to consider the free system as compared with the system of subsidies. He had been told that while on the one hand the whole amount required was only £200 a voyage, the amount payable to the Cunard Company, under special contract, would be about £1,600 a voyage. Unless some substantial reasons could be given it was highly impolitic to grant a set of merchants a subsidy to the extent of £1,400 a voyage over what was required by others. It appeared that the Government were attempting to diminish the payments to the Company by spreading the contract over a number of years; but that would be only an aggravation of the evil. He hoped the Government did not contemplate such a bargain as they had made with the Peninsular and Oriental, binding themselves for a number of years. The system of contracts was a bad one. He hoped even now that the Government would take a more liberal view of the matter, and give equal payments to all companies engaged in ocean navigation, for what they were doing at present was making one company pay for another. He trusted also that the hon. Gentleman in his reply would not introduce, as he had done on a former occasion, any remarks of a personal character. The constituency which he represented was one that had the largest interest in commercial matters of any constituency in the world, and the question was one which affected not only individuals, but the public at large.

MR. O'BEIRNE protested against the economical principles laid down by the hon. Gentleman. For his own part, he was perfectly disinterested, for he had no shares in any of the companies concerned. It was altogether impossible to throw open to competition such a service as this. To carry it on, it was necessary to have an immense amount of capital, a large number of vessels, and that preparations extending over several years should be made. He thought arrangements made by the Government were the best possible under the circumstances.

MR. HUNT said, with regard to the concluding remarks of the hon. Member for the Tower Hamlets, he was exceedingly sorry if anything that had fallen from him the other evening could be regarded as of a personal character. He was always most anxious to avoid anything of that kind; but he had thought it necessary to point out on that occasion that the Gentlemen most interested in the matter under discussion were not present to join in the animadversions passed on the Government by the hon. Member. He held it to be very desirable that Gentlemen not personally interested should give the House the benefit of their opinions. With respect to the question now before the House, he had arrived at the conclusion that the mail service to America ought to be self-supporting; but that was quite a different thing from saying that no contracts should be made for a term of years, because Companies would not be likely to put the best ships on the line unless they were sure of a contract for a certain period, quite irrespective of the amount of payment for the service. In his opinion, therefore, the Government ought to secure to Companies competing in answer to their invitation a certain period of time. As to the terms given to the Cunard Company for carrying the Saturday mails to New York, he believed, if looked into, the contract would be found to be self-supporting. The question was hardly between a sea-postage and a fixed sum; both were subsidies in different shapes. His hon. Friend had alluded to the different offers the Government had had, and was correct in saying that they had accepted the offer of the North German Company for Tuesday, that of the Inman Company for Thursday, and the Cunard Company for Saturday. The first two Companies made the tender exactly in the way the Post Office desired; but the Messrs. Cunard declined, and the Government were left without an offer with regard to the day which experience had proved to be the favourite one for sending correspondence to America. Under these circumstances, were they to leave the country in the lurch? The matter was one of very great difficulty, because the Cunard Company insisted upon a contract for a term. It was thought by the Government that the Post Office at Washington might be willing to enter into terms; and, if so, the contract would be for a sea-postage and not a subsidy. But the Post Office at Washington was not favourable to the proposal, and under the circumstances the Government entered into a contract for the conveyance of the mails for £80,000 for the year. But there was this stipulation — that Messrs. Cunard should account to the Postmaster General for the whole of the postage they would earn on the return voyage, the calculation of the Post Office being that the sea-postage would come to £75,000. The Company further undertook to provide for the sorting of the letters and to find subsistence for the sorting officers, which was calculated as equivalent to a sum of £3,500; so that the margin of difference was so small that if the Post Office was right, the matter might be considered self-supporting. As to the convenience of sending the mails from Southampton on Friday, it was quite possible there might be two opinions on the subject. It seemed to him, however, that there was no advantage in having mails leave on a greater number of days under the circumstances in question. The Hamburg-American Company did not sail from Liverpool or Queenstown, but Southampton on Friday, and the time was to be 11½ days. The letters, therefore, would be delivered in New York on the Tuesday or Wednesday of the next week but one, and it was reckoned that the Cunard Company, which would have the letters sorted on board, would deliver their letters quite as soon. In that case it hardly seemed advisable to enter into a contract with the Hamburg-American Company. It was open, however, to any person to avail himself of the Hamburg line by having his letters addressed to be forwarded *viâ* Southampton by that line. This alternative line might be of some advantage to merchants. Of course, if this contract had been made with the Hamburg-American line, it would have subtracted from the amount earned by the Cunard Company—not, however, for themselves, but for the Government. Under these circumstances, the Government had endeavoured to do justice to all parties as far as they could consistently do so, and when the correspondence was placed in the hands of Members, as it would be in a few days, he thought they would be satisfied that the Government had done the best they could for the public interest, under somewhat difficult circumstances.

MR. GOSCHEN said, the published documents did not show that the Cunard boats leaving Queenstown on the Sunday could perform the voyage so as to arrive at the same time as the Hamburg-American boats starting from Southampton on Friday. The average length of the voyage of the Cunard boats was 10 days, 11½ hours; and if you added to this the length of time occupied in the despatch of letters to Queenstown, you had an average outward voyage of 11 days, 5½ hours. The Hamburg-American Company performed the voyage from Southampton in 11 days, 5 hours; and, adding to this the 4 hours occupied in the transit of letters from London to Southampton, you have an average voyage of 11 days, 9 hours. Thus there was only a difference of three or four hours in the length of time occupied in carrying the mails; whereas, on the assumption of the hon. Gentleman, there ought to be a difference of a day or two days. He was at a loss, therefore, to understand the calculations of the hon. Gentleman. It was desirable to have as many companies carrying mails and as many weekly services as possible between this country and America. That was the general opinion of the mercantile world. It seemed, in order to pay the Cunard Company a greater subsidy than could be paid if the offer of the Hamburg-American Company were accepted, letters were to be detained in this country for two days. The hon. Gentleman said that letters leaving Queenstown on the Sunday were likely to reach their destination in America as soon as letters leaving Southampton on Friday. Well, the merchants would be the best judges of this. If they found that the Sunday steamer was the best, they would naturally not send on the Friday; and the result, therefore, of saving a certain amount of money to the Treasury would be accomplished by an additional mail service instead of by inconveniencing the mercantile community. Again, if a subsidy had been offered to other steampacket companies, there might have been a competition upon the basis ultimately agreed upon with the Cunard Company. But the Government first issued notices for tenders in a given form, and, when these were of no avail, concluded an arrangement with the Cunard Company upon quite another basis. The great thing in all these cases was to encourage competition, and he was afraid, if these matters were not thoroughly understood, the impression would go abroad that it was not of much use to tender, because the Government preferred to deal with certain great Companies. He was glad that an explanation on this point had been elicited from the hon. Gentleman (Mr. Hunt), in order that it might be seen that the principle of competition in these cases was accepted by him and by the House—though in this particular instance he was of opinion that the interests of the mercantile community had not been consulted as they might have been.

MR. MAGUIRE asked, what steamers were to call at Queenstown besides the Cunard boats?

MR. HUNT: The Inman and the Cunard boats.

MR. SHAW LEFEVRE asked, to what penalties the Cunard Company was subjected for delay?

MR. HUNT said, that in the contract the Cunard Company were put under no penalties for the performance of the service within a given time. They always said that such a clause led their captains to be rash and to risk the safety of those on board in their anxiety to avoid the penalties. In the calculation made by the right hon. Gentleman (Mr. Goschen) with regard to the time occupied in transmitting letters to go by the Hamburg-American line, he had forgotten that their steamers could not take Friday's letters, as they started on Friday morning—they could only carry letters written up to Thursday night. His calculations, moreover, were based entirely upon a consideration of the London correspondence, to the exclusion of the correspondence from all other parts of the kingdom. The letters from the North, for instance, could be much more conveniently sent *viâ* Queenstown.

MR. AYRTON said, he had been told that the Hamburg-American Company had offered to run their boats from Southampton at any hour, however late, on Friday.

ABYSSINIA — CORRESPONDENCE BETWEEN DR. BEKE AND OTHERS AND THE FOREIGN OFFICE. — PERSONAL EXPLANATION.

Mr. NEWDEGATE asked permission of the House to offer a very short explanation with reference to the Orders of the House on the previous day, in which his name appeared. He yesterday thought it his duty to move that the words—

> "Also such portions of a Letter addressed by Dr. Beke to the Secretary of State for Foreign Affairs dated the 14th day of October 1867, relative to a conversation between him and Mr. Palgrave at Cairo, in December 1855, as bear upon the foregoing Correspondence,"

be added to a Resolution of the hon. Member for Southwark (Mr. Layard)—

> "For an humble Address for Copy of the Correspondence between Dr. Beke, Mr. Purday, Mr. Palgrave, and the Foreign Office, referred to in the Letter from Dr. Beke to Lord Clarendon, dated the 11th day of June 1866, published in a recent Blue Book."

He (Mr. Newdegate) had given a Notice for to-day—

> "For an Address for Copy of a Letter addressed by Dr. Beke to the Secretary of State for Foreign Affairs, dated the 14th day of October 1867, relative to a conversation between him and Mr. Palgrave at Cairo in December 1865,"

which in the then state of the House he would not go into even if he were pronounced to be in order, about which it seemed there was some doubt. But what he wished to explain to the House was this—that his reason for having thought of proceeding with the notice which stood in his name that day was that the Resolution of the House was for an Address for certain Correspondence up to June, 1866, only; and one of his principal objects was to show that there was a subsequent correspondence in the hands of the Foreign Office which might be essential to Dr. Beke's defence. That object he had achieved; and although he regretted that the House was not disposed to accede to his proposition, still he had accomplished his object, which was that no one could believe that the correspondence terminated on the 11th of June, 1866, which was more than a year ago, and he wished to leave this question in this position:—Dr. Beke had placed in the hands of the Foreign Office documents which he conceived were essential to his justification; and he (Mr. Newdegate wished to express the hope that as Dr. Beke had thus placed that correspondence in the hands of the Foreign Office and Her Majesty's Government, they would not allow him to be prejudiced by any false impression arising from the limited Resolution which the House had come to—a limit which cut off the correspondence after the 11th of June, 1866, more than a year ago. And in explanation of his own conduct last night, he (Mr. Newdegate) could only express his regret, on reflection, that the Speaker had reason, on that occasion, to say that he (Mr. Newdegate) was out of order. He was out of order on that occasion. He had ever studied to keep within the rules of order. He hoped that the Speaker would consider the extraordinary difficult position of an independent Member of the House—a difficulty which was every day becoming greater. He had never known a Session in which the difficulties were greater; and he trusted that hereafter he would have the good fortune of never giving the Speaker good reason to say that he was out of order again.

Mr. SPEAKER: I am happy to accept the explanation of the hon. Member. It is always painful to me to apply strictly the rules of the House. The Question is, that this House, at its rising, do adjourn to Thursday, the 13th of February.

Motion *agreed to.*

House at its rising to adjourn till *Thursday*, 13th February.

PUBLIC DEPARTMENTS (EXTRA RECEIPTS) BILL.

On Motion of Mr. Hunt, Bill to regulate the disposal of Extra Receipts of Public Departments, *ordered* to be brought in by Mr. Hunt and Mr. Chancellor of the Exchequer.

Bill *presented*, and read the first time. [Bill 26.]

House adjourned at a quarter before Two o'clock, till Thursday, 13th February.

HOUSE OF LORDS,

Thursday, February 13, 1868.

MINUTES.]—*Sat First in Parliament*—The Marquess of Lansdowne, after the Death of his Father; The Lord Wrottesley, after the Death of his Father.

PUBLIC BILL—*First Reading*—Promissory Oaths (10).

PROMISSORY OATHS BILL.

PRESENTED. FIRST READING.

THE LORD CHANCELLOR, on rising to introduce a Bill to amend the Law relating to Promissory Oaths, said, it was not his intention to explain its object on the present occasion. When, however, the Bill came on for a second reading, he would fully state the purport of its provisions. He would now merely ask their Lordships to assent to the first reading, and would fix the second reading for Tuesday next.

A Bill to amend the Law relating to Promissory Oaths—*Presented* by The LORD CHANCELLOR; read 1ª. (No. 10.)

PRIVATE BILLS.

Ordered, That this House will not receive any Petition for a Private Bill after *Monday* the 23*d of March* next, unless such Private Bill shall have been approved by the Court of Chancery; nor any Petition for a Private Bill approved by the Court of Chancery after *Monday* the 11*th of May* next:

Ordered, That this House will not receive any Report from the Judges upon Petitions presented to this House for Private Bills after *Monday* the 11*th of May* next:

Ordered, That the said Orders be *printed* and published, and affixed on the Doors of this House and Westminster Hall. (No. 9.)

House adjourned at a quarter past Five o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, February 13, 1868.

MINUTES.]—NEW WRITS ISSUED—*For* Westmoreland, *v.* Hon. Henry Cecil Lowther, deceased; *for* Kirkcudbright, *v.* James Mackie, esquire, deceased; *for* Stoke-upon-Trent, *v.* Alexander James Beresford Beresford Hope, esquire, Manor of Northstead; *for* Cambridge University, *v.* Sir Charles Jasper Selwyn, knight, one of the Judges of the Court of Appeal in Chancery; *for* Helston, *v.* William Baliol Brett, esquire, Solicitor General.

NEW MEMBERS SWORN—Henry Finch, esquire, *for* Rutlandshire; William Lowther, esquire, *for* Westmoreland.

PUBLIC BILLS—*Ordered*—Election Petitions and Corrupt Practices at Elections.

First Reading—Election Petitions and Corrupt Practices at Elections [27].

Second Reading—Metropolitan Foreign Cattle Market [25]; Public Departments (Extra Receipts) [26].

Referred to Select Committee—Metropolitan Foreign Cattle Market [25].

SCOTCH AND IRISH REFORM BILLS.

QUESTION.

MR. BAXTER said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he will fix a day for the introduction of the Scotch Reform Bill?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I contemplate that it shall be introduced on Monday next.

SIR HENRY WINSTON-BARRON: When will the Irish Reform Bill be brought in?

THE CHANCELLOR OF THE EXCHEQUER: I will fix an early day for it, but it must depend upon the general arrangement of business, with which we shall become better acquainted in a few days.

OUR RELATIONS WITH AMERICA.

QUESTION.

MR. WATKIN said, he would beg to ask the Secretary of State for Foreign Affairs, When the House may expect to receive further Papers with reference to the *Alabama* claims, and other questions in dispute between this country and the United States?

LORD STANLEY: Sir, there is only one Despatch which Her Majesty's Government have not laid upon the table of the House, and it has already appeared in all the newspapers, but I shall now lay it on the table.

METROPOLITAN FOREIGN CATTLE MARKET BILL—[BILL 25.]

(*Lord Robert Montagu, Mr. Hunt.*)

SECOND READING.

Order for Second Reading read.

MR. MILNER GIBSON said, he wished to make some inquiry of the Government with respect to this Bill. In 1866 a Committee of this House was appointed to consider the question of the trade in animals, and among other subjects which they considered was the propriety of establishing in London a market for foreign cattle separate from that in which our home cattle were sold. Although there was some evidence of authority in support of the establishment of separate markets, the Committee came to the unanimous conclusion that the weight of evidence was against that proposal, and that it was not desirable to establish a separate market for the sale of foreign cattle. The Committee were of opinion that it would be a serious restriction upon the foreign cattle trade to deprive importers of the right to send their cattle to the largest cattle-market in London, which is attended by the greater number of buyers. They thought that such a restriction would diminish the importation of foreign cattle, and increase the price of meat to the inhabitants of the metropolis; and they were further of opinion that it was not right to impose the same restrictions on all foreign cattle, no matter whether they did or did not come from a country in which cattle plague existed. But this Bill, as he understood it, proposed to subject the whole cattle trade to new and serious restrictions; and that foreign cattle could only be sold in a market to be established some eight or ten miles from the metropolis, and to be removed from thence only after being slaughtered. He believed it was the universal opinion of the trade, that this would place the foreign cattle trade at a great inconvenience, and would tend to diminish the competition. He thought they ought to hear from the Government what new evidence had come into their possession to induce them to bring in a measure in direct opposition to the unanimous Report of a Committee of this House, made so recently as 1866. He did not intend to oppose the second reading; but he thought the Bill contained a very dangerous principle. He hoped that if read a second time the Bill would be referred to a Select Committee, before which evidence might be taken as to its bearing upon the interests of the consumer. He was as anxious as any man could be to take all reasonable precautions against the introduction of the rinderpest among our herds, but he must decline being carried beyond what the necessities of the case required. He did not see why every precaution might not be taken to prevent the spread of the cattle plague, without putting these permanent restrictions upon the foreign cattle trade of the metropolis.

Lord ROBERT MONTAGU reminded the right hon. Gentleman that the Report of the Committee to which he had referred contained this sentence—"It seems desirable where practicable in large towns to separate the fat and store cattle markets." That was the object of this Bill, which he proposed to refer to a Select Committee, one-half of the Members of which should be appointed by the Committee of Selection, and the other half by that House, and which would have power to take evidence upon the whole subject. As he understood that no opposition was to be offered to the progress of the Bill, he would not trouble the House by entering into the question. But if, on the other hand, the House wished him to do so, he was quite prepared to argue the question at length, and to show good and valid grounds for entertaining the measure.

Bill read a second time, and *committed* to a Select Committee of Ten Members, Five to be nominated by the House, and Five by the Committee of Selection.

[*See Page* 850.]

PUBLIC DEPARTMENTS (EXTRA RECEIPTS) BILL—[Bill 26.]

(*Mr. Hunt, Mr. Chancellor of the Exchequer.*)

SECOND READING.

Order for Second Reading read.

Mr. HUNT, in moving the second reading of this Bill, said, that its object was to give Parliament a greater control over the expenditure than it possessed at present. When the Estimates were laid before the House the usual course was, in many cases, to state the whole estimated expenditure, to deduct the receipts anticipated by the department, and then to ask Parliament to vote the balance. But it frequently happened that a much larger sum was received by the departments than appeared on the Estimates, and might be expended by them without the sanction of Parliament. Now, what this Bill proposed was that the Treasury should have power to direct that the entire receipts should be paid directly into the Exchequer, so that Parliament should be asked to vote the whole of the amount required; or, that if a deduction was made for receipts, then to direct that all receipts above that amount should be so paid in, so that if there was an excess over the estimated receipts the department should have the use of that portion only for which it had obtained the sanction of Parliament.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hunt.*)

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

ELECTION PETITIONS AND CORRUPT PRACTICES AT ELECTIONS BILL.

LEAVE. FIRST READING.

THE CHANCELLOR OF THE EXCHEQUER, on rising to move for leave to bring in a Bill for amending the Laws relating to Election Petitions, and providing more effectually for the prevention of Corrupt Practices at Parliamentary Elections, said, I rise to ask permission of the House to introduce a Bill to amend the laws respecting the trial of controverted elections by this House, and also to prevent bribery and corruption at Parliamentary elections. The first of these subjects has engaged the attention of the House frequently, I might almost say periodically, for now nearly a century. I need not remind the House that, within a comparatively modern period of our Parliamentary history, petitions with respect to controverted elections to this House were decided by a Committee consisting of all the Members of the House, and were frequently the subjects of party struggles. It is, I am sure, unnecessary for me to remind the House that the termination of the longest, the most powerful, and perhaps we may say the most prosperous, administration that this country ever knew—the administration of Sir Robert Walpole—was brought about by a division upon the Chippenham election petition. Even in the time of Sir Robert Walpole there were Members of this House who were sensible of the great outrage upon the principles of public justice, and, indeed, upon the propriety of public life, which took place in consequence of issues of fact and issues of law being decided in such a manner. But the formation of opinion in those days was slow; and more than a quarter of a century elapsed before the strong feeling of the House of Commons permitted one of its Members to introduce a measure which boldly struck at this evil. It was indeed, I believe, a predecessor in the seat which I now hold, a Member for the county of Buckingham (Mr. George Grenville), who brought in the famous statute which, having by the principle upon which it was founded terminated the system of party struggles upon the subject of controverted elections for nearly a quarter of a century, regulated those matters. The principle of the Grenville Act was that a certain number of gentlemen should be chosen by lot to try each petition; and for seventy years afterwards, though altered and amended, and in some degree improved, the principle of the Grenville Act was never departed from. As late as the year 1839, shortly after I entered the House of Commons, Election Committees were still appointed by lot. At that time the Grenville Act had been so modified that the names of thirty-three gentlemen were drawn from a vase by the clerk at the table; it was open to the petitioner on the one hand and the respondent on the other to strike off eleven names from this list, and the residuum of eleven formed the Election Committee. Notwithstanding the various improvements which were at different times introduced into the Grenville Act, there were still constant complaints of the unsatisfactory character of the jurisdiction in respect to controverted elections. There were allegations of great and unnecessary expense, of great inconsistency and uncertainty of decision, and of total incapability on the part of the tribunal to prevent the corrupt compromise of petitions which had been presented. In the year 1839 Sir Robert Peel, who was then in opposition, and could give all his time to the subject, devoted his great intelligence and his unrivalled Parliamentary knowledge to the question, and brought in a Bill the object of which was to improve the jurisdiction of this House with regard to controverted elections, specially by increasing the responsibility of the Members of the Committees. But notwithstanding that the Bill was introduced by Sir Robert Peel, whose intelligence and experience few could rival, it was not successful. It was repealed two years afterwards, and various measures were introduced and amended at various times, until in the year 1848 the present procedure was adopted by the House. The great object of the Act of 1848 was to give a legal character and shape to the whole procedure with regard to controverted elections. In the first place, the House transferred the whole of its authority to a newly established tribunal called the Committee of Elections, which was composed of six Gentlemen appointed by the Speaker by his warrant, but subject to the approbation and sanction of the House. They are gentlemen eminent among us for their high character, their great Parliamentary experience, and also for their professional acquirements. The Committee of Elections has the power under the existing Act of selecting a Committee of four Members from the whole body of the House, and a fifth Member to act as Chairman, from a panel previously selected from those elements of the House which give the best promise of impartial and able supervision and presidency. The Members thus selected take their oaths solemnly and in public at this table to execute justice and maintain the truth. The witnesses are examined on oath, the petitioner and the respondent both appear before the Committee by their counsel, the decisions and the precedents of the Superior Courts are quoted and followed, and the decision of the Committee is final and conclusive. I think hon. Gentlemen will agree with me that if we did not depart from the fundamental principle of our present jurisdiction and action in respect of controverted elections, it would be totally impossible to form a tribunal more likely to prove satisfactory, or more calculated to arrive at a true verdict on the facts before them. Yet that tribunal has not proved satisfactory, and at no time perhaps have there been, more than recently, greater complaints and charges against the inefficiency and unsatisfactory character of that tribunal. Every one will admit that, notwithstanding all the precautions we have availed ourselves of, as exemplified in the existing Act, the expenditure upon these Election Petitions has not diminished, but I believe I may say they have been considerably increased; that the decisions of the Committees have been uncertain, and therefore unsatisfactory, and that they have offered no obstacle whatever to the growing practice of corrupt compromise, by which, in the process of withdrawing petitions, a veil is often thrown over more flagrant transactions than any which are submitted to scrutiny and investigation. I think, then, that after the experience we have had of the existing law, the opinion of the House has been gradually, but surely, formed, that there is something in the principle upon which the jurisdiction of the House in regard to controverted elections rests which is essentially vicious, and which has hitherto prevented, and will prevent, any satisfactory solution of the difficult and injurious consequences which all recognize, and which many have felt. And what is that principle? It is that the House has hitherto insisted — and I grant that it is natural, and that in a certain sense it has been wise and salutary that they should have insisted—on retaining the privilege of deciding on those questions which are so interesting to every Member of the House, as forming in fact the elements of which it is to consist. But public opinion and the opinion of this House have in a great degree of late years come to the conviction, that it is only by the transfer of this jurisdiction with respect to controverted elections from the House to some other and competent tribunal that we can arrive at more satisfactory results than we have hitherto experienced. It was with those feelings, and recognizing the justice of those views, that Her Majesty's Government last year had their attention drawn to this subject. Last year we were engaged upon a considerable measure with respect to the elements and constitution of this House, and of course the subject of Election Petitions, and the means by which returns to this House are sometimes improperly and illegally secured, naturally come under the general consideration of the House, and it was our intention at one time, in the Reform Bill we presented, to have treated this matter both as regards the subject of controverted elections, and as regards the improper means by which returns are sometimes obtained. But the subject was so large and so varied, and was of so controversial a nature, that there seemed to be a general understanding on both sides of the House that it would be more convenient to treat it separately. With this view, on the part of Her Majesty's Government, I introduced a Bill last year which I believe for the first time proposed to transfer from the jurisdiction of this House the subject of controverted elections to another tribunal. That was the great and main principle of the measure. Accepting that principle, it was of course necessary to offer to the House some tribunal which, as a substitute, would efficiently and satisfactorily perform the duties, and we proposed that Mr. Speaker should undertake the office of constructing a panel of eminent gentlemen of the long robe, of sufficient legal experience to undertake those duties, and that whenever a petition was presented to the House, and the recognizances satisfactorily fulfilled, by an order from the Speaker a tribunal of Members of that panel should investigate the charges in the petition, and should make that investigation on the spot. The House accepted the principle of that measure, and a Bill was introduced. They approved of the transfer of the jurisdiction, but there was a great variety of opinion as to the construction of the tribunal which should be substituted. The House was, I think, strongly inclined to approve of the principle of local investigation. But after some discussion it was thought convenient that the Bill should be referred to a Select Committee, a decision with which I could find no fault, as from the nature of the subject, and in some degree from its novelty—because it was the first time that any application of the principle of a transfer of the jurisdiction had been brought forward—it appeared to me to be a wise and salutary course to adopt. The Committee was formed of Members of the House in whom both sides of the House placed confidence. It was presided over by my right hon. Friend the Secretary of State, and the House will be of opinion that the labours of the Committee were conducted with great ability and attention. That Committee differed from the mode of procedure recommended by Her Majesty's Government, so far mainly as the tribunal to be substituted was concerned. They approved entirely of the principle of a transfer of the jurisdiction, but they were of opinion that that jurisdiction should be transferred to the Court of Queen's Bench; that it should in every case be taken entirely out of the purview of the House, and that there should be no privity or connection between the petitioner to Parliament, challenging the seats of Members, and the House itself; because in the original Bill introduced by the Government, feeling that the House had a very strong—I will not say prejudice, but—sentiment upon the subject of retaining the jurisdiction in itself, and that it would alter the practice only from a high sense of duty, we had proposed that the decisions of the Commissioners appointed by the Speaker might, under certain circumstances and conditions, be challenged by a Member of the House, who might move that the case should be referred to a Select Committee. That was the Bill we introduced, and I need not say—it would be affectation to disguise it—that we acted in that spirit of compromise which, upon difficult questions of this nature, it is sometimes profitable to adopt. But the Select Committee entirely repudiated any half measures of that kind; they entirely approved of the transfer of jurisdiction, and said that it should be complete, and not only complete, but that the substituted tribunal should be the highest in the land. They therefore proposed that the jurisdiction should be transferred to the Court of Queen's Bench; that the petitioner should, in the first instance, present his petition to the Court of Queen's Bench; that the recognizances should be fulfilled and completed in the Court of Queen's Bench, and that it should be in the power of the Court of Queen's Bench to direct one of the Judges of the Superior Courts to visit the locality, and there to investigate the allegations of the petitioner. In fact, all the forms of an action at law in a criminal case would be observed, except that you would have a Judge without a jury. The Select Committee adopted that principle, and came to resolutions upon matters of very considerable interest, although not necessarily of such great importance as the leading principle to which I have referred, and therefore I shall not trouble the House with them on this occasion. The Committee directed that a Bill should be prepared in accordance with their resolutions, and the Bill was accordingly drawn and laid upon the table of the House at the close of last Session. Upon the second part of the subject—that which referred to the means of preventing bribery—the Committee came to very stringent resolutions, and amongst them one to the effect that any Member of the House personally convicted of bribery should be disqualified from sitting in the House for seven years; and that if the offence were repeated he should be disqualified for life; and that any person other than a candidate or Member, who was found equally guilty, should be disqualified from sitting for seven years, and from holding the office of justice of the peace, or any branch of the municipal magistracy. There were many other resolutions which the Select Committee arrived at, such as retaining the operation of the Act which was passed some years ago, for pursuing local investigations by special Commissioners, on the Address of both Houses of Parliament. Her Majesty's Government had to consider the recommendations of the Select Committee and the Bill drawn up in unison with their resolutions; and I am bound to say that, having given the subject their deepest consideration, it was the unanimous opinion of the Cabinet that it would be our duty to introduce a Bill in strict conformity with the recommendations of the Select Committee. There might be points of detail susceptible of alteration, but they were not of primary importance, and we thought they might be very fairly discussed in Committee; but with regard to the general scheme we were perfectly prepared to introduce a Bill in complete harmony with the recommendations of the Select Committee, and to support them by all the means we possessed. And when my right hon. Friend, on the night before the House adjourned, and when, unhappily, I was not present, gave notice on my behalf that I would introduce a Bill on the first night of the re-assembling of the House, it was our intention to have laid on the table a Bill such as I have described, to carry into effect, in every branch, the recommendations of the Select Committee. I regret to say, Sir, that it is not now in my power to fulfil the intentions of Her Majesty's Government, or to follow the recommendations of the Select Committee in the Bill which I am now asking leave to introduce; and the reason is, that we found an obstacle in the way which we did not contemplate at that time, and the largeness and importance of which all, I am sure, will admit. It became our duty, not to consult Her Majesty's Judges, whether they would undertake a duty which the wisdom of Parliament would put upon them, but, as a matter of courtesy, to inquire of the Judges the most convenient manner to themselves in which the application of the provisions of the Act, if it passed, might be carried into effect. But I regret to say, that instead of receiving from the Judges information upon the particular point on which we sought to be instructed, we received from that most eminent and exalted body—conveyed by their most august member—an expression of opinion upon the proposed Bill so entirely condemnatory of its provisions ["Oh, oh!"] that it became absolutely necessary for us to consider the course we should adopt. If it had been some particular point on which Her Majesty's Judges differed from the Select Committee, or from the Government, there might have been room for negotiation, and we might have hoped to remove the difficulty by friendly conference or correspondence. But the objections of the Judges were complete and entire. They were of opinion, first of all, that upon constitutional and personal grounds the propositions of the Government were highly objectionable; and secondly—and this was explained in detail—that if even there were not those constitutional and personal grounds of objection, the fulfilment of the duties proposed by the Select Committee and Her Majesty's Government were absolutely impossible, consistently with the performance of their official functions, with their oath of office, and their duty to their Sovereign and their country. Well, I know not what the House may feel under these circumstances, but I must say, on the part of the Government, that having given to this expression of opinion their utmost and most anxious consideration, we have not felt it our duty to advise the House of Commons to thrust those duties upon the Judges of the land, or to place themselves —I will not say in collision—but in painful relations to a body so exalted and so much entitled to our reverence and respect. I confess that when I remember that this is a body of men practised in the formation of just opinions, from multifarious circumstances, I could not presume to maintain any opinion contrary to theirs upon such a subject. The idea has never for a moment been permitted to cross our mind that those who have arrived at what I am sure is their sincere and solemn convictions were influenced in any degree by any considerations of their own personal inconvenience. Although the highest authority has told us that even in Olympian dwellings there are those who are not superior to the infirmities of human nature, I may say on the part of Her Majesty's Government that we feel we can no longer attempt to influence the Judges in this matter, and that we have received their decision with mortification and disappointment. Under these circumstances, it has been our painful duty to endeavour to devise a substitute for the tribunal which the Select Committee contemplated, and which the Government approved and accepted. The House, I am sure, will feel the great difficulty in which we were placed. Nothing we can devise can equal in character and authority the tribunal we have unwillingly relinquished. The House will also see how impossible it was for us to attempt to carry out the policy indicated by the Select Committee, and approved by the general feeling of the House; and also, how impossible it was for us to revert to the tribunal proposed in our original Bill, and which had far less important duties to discharge than those recommended by the Select Committee. We had to consider what depended upon the decisions of such a tribunal as that which we are contemplating — that an English gentleman might be deprived by it of the honour of sitting in Parliament for seven years, and in another instance for life, and that without the sanction of a jury. And I am sure that the House will feel that, although three gentlemen of the long robe, selected by the Speaker, may go down to a borough or a county charged with corrupt practices, and may make an investigation of a very advantageous and profitable description, still that they would hesitate before—as the result of such an inquiry—they inflicted a penalty so stringent. We could not, therefore, fall back upon that tribunal which, in our original proposition, was certainly, I think, an improvement upon the procedure which at present prevails. I need not trouble the House with the various schemes and combinations which have been placed before us. If, as I hope, we shall have an opportunity of discussing the Bill in Committee, I dare say many of those schemes will be reproduced, and we shall then be ready to give our reasons for not adopting them. I will at present content myself only by stating the course which we recommend the House to adopt; and I hope that the House, smarting as it were under the disappointment of not being able to carry into effect the higher plan of the Select Committee, will not be too apt to discard that which we propose, but will give it a full and candid consideration, and on the second reading of the Bill, and in Committee will fairly and impartially estimate its character. What we propose is that the House should form on this subject of controverted elections a new and original tribunal. We propose that it should consist of three Members; and, so far as the recognition of their honourable position is not a mean remuneration for men of the highest abilities and character who may not perhaps be inclined to continuous hard work, that the House may offer a temptation which will allow us to constitute a tribunal that will command the confidence of the House and the country. The objection, of course, to such a tribunal is that their duty is not fixed and continuous; but when the subject is fairly and fully investigated, I think it can be shown that there is a great deal to be said in favour of the proposition. We propose that there should be this new court, to be called the Parliamentary Elections Court, or some technical name of that kind; that the Judges shall have a salary of £2,000 a year each, and that all the appeals from the decisions of revising barristers shall also be referred to them. I have now placed before the House the general character of the measure which I am asking leave to introduce. That measure, I repeat, is not that which, two months ago, I hoped it would have been in my power to introduce; but I think, under any circumstances, hon. Gentlemen, when they read the Bill, will find that it is a measure of great importance, meriting their most earnest attention; and that, as it is founded upon a principle which I am convinced is the only true principle upon which any great improvement in our jurisdiction can take place, I trust the House will not refuse me leave to introduce this Bill at the present time.

MR. KNATCHBULL - HUGESSEN apprehended that the House would be unwilling to enter into any lengthened discussion on that measure at the present stage; and, as a Member of the Select Committee which sat upon that subject last year, he was quite ready to tender his thanks to the Government for the prompt manner in which they had endeavoured to deal with the question. But he wished now to guard himself against being supposed to express the opinion that any measure in that direction could really prevent corrupt practices. He did not believe that object would ever be attained until Parliament was prepared to enact that communities possessing the privilege of returning Members to Parliament should themselves bear the legitimate expenses necessarily incurred in the exercise of that privilege. So long as these expenses were thrown upon the candidate, he did not believe that they would ever put an end to corrupt practices, because not only was the choice of the constituency greatly limited, but the door was opened to an immense number of illegal and unnecessary payments under the cloke of "legitimate expenditure." He also wished to point out the very great gravity of the constitutional change involved in the provisions of the Bill. He would not attempt to follow the right hon. Gentleman through his sketch of the history of the law relating to controverted elections, but he must remark that a transfer of that jurisdiction which the House had always most jealously guarded, and which was guarded, with equal jealousy, as to its own Members, by the other House of Parliament, was not a new proposal. Some twenty-eight years ago such a proposal was made, when among those who strongly opposed it were the late Sir Robert Peel, Lord Russell, Lord Lyndhurst, and the present Prime Minister. The objections then taken were two-fold, being based both on constitutional grounds and on the difficulty of finding a fitting tribunal out of that House to try Election Petitions. It was stated—and he believed truly—that there was no popular legislative body in the world which did not maintain its own proper jurisdiction over its own members, and that it was the inherent right of every assembly constituted like the House of Commons to keep such a power in its own hands. But, in his opinion, a more tangible and practical objection was the difficulty of selecting some other tribunal to exercise these functions; and when the right hon. Gentleman stated that the Select Committee of last year were prepared to transfer the jurisdiction to another tribunal, he (Mr. Knatchbull-Hugessen), speaking for other Members of that Committee as well as for himself, was bound to state that the transfer of the jurisdiction of the House of Commons was in their minds conditional upon its being given to the very highest possible tribunal which could be selected. He had always had some doubts with regard to the transfer of this jurisdiction to the Judges, because they were frequently selected upon political considerations. At present the Judges possessed the full confidence of the public, and he feared that if they were made the arbitrators in political matters, and brought into frequent contact with political partizans, they might lose a portion of that public confidence which they now enjoyed, and which it was so essential in the interests of the public that they should possess. Again, supposing the House declared itself to be an incompetent tribunal to decide these questions, how long would public opinion allow it to retain the jurisdiction which it exercised over other important matters by Committees upstairs? But the present Bill went further than the transfer of jurisdiction. That House was a high constitutional court to which an appeal could be made on every important question; but, under that Bill, as he understood it, if a question or a grievance were connected with the election of a Member, then that court would no longer be open to the aggrieved person, who must seek his remedy from another tribunal. The further he looked into that subject the more difficulty he experienced in agreeing to a transfer of the jurisdiction of the House. The present proposal had come rather suddenly upon them, and due time would doubtless be allowed for considering it before the second reading. The question was one which ought not to be considered as a party question, and he hoped both sides of the House would unite in endeavouring to remove the evils complained of. But there was one great omission in the measure. He took it that the evils of the existing system were three-fold. There was the difficulty of detecting corrupt practices, and that difficulty would no doubt be diminished if the tribunal tried the offences on the spot where they were alleged to have been committed. The second evil was the great expense attendant upon an exposure of corrupt practices; and, as regarded expense, he much questioned whether the Bill would lessen the cost of trying Election Petitions. But there was another great evil which that measure would not touch — namely, the trafficking in and withdrawal of Election Petitions after they had been presented to the House. Amendments might, no doubt, be proposed when the Bill got into Committee, but inasmuch as the measure varied greatly from the main principles laid down by the Select Committee, he could not hold himself in any way bound to support even its second reading. He, however, trusted that they would all approach that question in an impartial spirit, and would offer no opposition to the introduction of the Bill.

Sir FRANCIS GOLDSMID expressed his regret that the Bill about to be brought in was not to contain a provision which he had repeatedly suggested to the House as being much more likely to check bribery than severe penalties and other enactments. Additional weight had been given to the clause to which he alluded, by the fact that about that time last year the Government referred to it as one that was to form part of the Bill which they intended to introduce on that subject. The provision in question was one for giving the seat to any candidate who, although defeated, had been supported by a substantial portion, say one-fourth, of the registered electors, and who should establish on petition a case of bribery against his opponent, without any recriminatory case being proved against himself. The proposed enactments of the present measure, appeared to be founded on the principle of facilitating the detection of bribery and rendering its penalties more severe. The provision he desired to see adopted was founded on the more effectual principle of removing the temptation to commit that offence, and making it defeat its own object. Bribery prevailed chiefly in boroughs where there existed a knot of corrupt electors, who, having no political opinions, were always prepared to sell their votes to the highest bidder, and who held the balance of the elections in their own hands. It was impossible for any pure-minded candidate now to succeed without bribery in such a constituency unless he was so fortunate as to encounter an opponent whose detestation of corrupt practices was as great as his own. If a pure candidate, defeated by bribery, petitioned against his opponent and succeeded in ousting him, how much better off would he be? He would have to go down to contest the borough again, when he would find himself the most unpopular of all possible candidates among the bribable electors who had the decision substantially in their hands, and he would be the only person against whom they would be prepared to vote gratis. In that way purity was sure to lead to defeat; but by the provision he suggested all this would be reversed; for when one side was pure and the other corrupt, the corrupt party would soon find by experience that the only result of their corruption was to buy the seat, not for themselves, but for their opponents. Severe penalties would only do mischief by lowering the character of the Members of that House, unless the principle for which he contended were adopted. In Committee on the Bill he should therefore renew his proposal, and he trusted it would meet with favourable consideration on the part of the Government, (who, at one moment, at least, had been inclined to adopt it,) and that it would also be regarded with favour by the Committee.

MR. WHITBREAD said, he felt great regret on learning that the Government had so far departed from the scheme which came down to them from the Select Committee appointed last year. Having had the honour to sit on that Committee, he was one of the most strenuous advocates of the course which they ultimately adopted, and adopted almost unanimously. For the sake of effectually checking electoral corruption he was prepared to see the jurisdiction in the matter of elections taken out of the hands of that House, but he should be prepared to see that done only upon the consideration that they substituted some tribunal which was unexceptionable. Since he had had the honour of a seat on the General Committee of Elections he had taken great pains to inform himself as to the results of the Committees appointed to try Election Petitions. As to the Election Committees, he felt bound to say, notwithstanding the gossip which might float round the lobbies and elsewhere, that, as a rule, they arrived at just decisions on the cases which were submitted to their notice. It was complained, however, and the complaint was, he thought, to some extent, well founded; that those cases were not well put before the tribunal by which they were tried. In a word, the bar was too strong for the court; and this was not surprising when it was borne in mind that five Members, for the most part without legal training, were chosen to preside over those investigations. Under those circumstances, he would urge that, should the trial of Election Petitions be taken out of the hands of the House, it should be transferred to a tribunal in which the public would have confidence, and whose action should not be unduly restricted, for when the law was passed under which Election Committees now acted, the mark had, in his opinion, been overshot, in endeavouring to control to too great an extent the proceeding of the General Committee, who did not in reality appoint the Members who were to try a petition, inasmuch as, although they nominated four of the number, the selection being equally made from both sides of the House, the fifth was appointed at haphazard, so that the tribunal was not always so fairly constituted as might be the case. He made those observations simply to show that the object which they had in view might best be attained by dispensing with artificial regulations and restrictions. He hoped, he might add, that the Government, before they proceeded further with the present Bill, would take into their serious consideration the recommendations of the Committee which sat on the subject of bribery last year. It was monstrous, he thought, to imagine that the work in question could not be done by the Judges; and the Select Committee of last year were unanimous in believing that they would form a tribunal in which the public would have the fullest confidence. The tribunal should not only be above all fault, but above all suspicion of fault, and it should have at its head some one capable of conducting it in the best possible way. The Court which it was proposed by the Bill to establish was open to the great objection that it would be appointed *ad hoc,* and that its officers would not hold so high a position in public estimation as those who presided in the Superior Courts. When the Bill came on for second reading it would be time enough to state the course which he should think fit pursue with respect to it, but he trusted that the Government, having taking up the subject with an honest intention of dealing with it effectually, would not weaken their action by proceeding as they seemed to intend.

SIR ROBERT COLLIER, as a Member of the Select Committee of last year, expressed himself as being greatly embarrassed by the course which the Government had announced it to be their intention to adopt. He at the same time was fully alive to the difficulties under which they acted. Any representations which came from the Judges must of course be treated with the utmost respect, and he was far from saying that the House would be justified in imposing upon them the performance of duties which, for any reason, they were unwilling to undertake. If, however, the Judges could not undertake the duties in question, it was, in his opinion, matter for serious consideration whether the House should part with its jurisdiction over Election Petitions at all. He thought the right hon. Gentleman the Chancellor of the Exchequer was not quite correct in supposing that the Committee agreed that the jurisdiction must be parted with to some tribunal. That was not so. The Committee agreed that the jurisdiction should be handed over to the tribunal they recommended, but to no other. He had a perfectly clear recollection of what had passed in the Select Committee on the subject, and the purport of their discussions was, in substance, that if the House were to part with its jurisdiction over Election Petitions—a jurisdiction which was of great antiquity and importance—it should be parted with only that it might be transferred to the first tribunal in the land, the suggestion that it should be transferred to inferior tribunals being altogether rejected. Under those circumstances he could not help thinking that the Members of the Select Committee were now placed in a difficulty, and that they would seriously have to consider whether or not they should support the second reading of this Bill. The inquiry which the trial of an Election Petition involved was one of the most important which could be named, and required the exercise of the highest judicial ability. It was in the first place a civil cause dealing with important civil rights, and in the next place a criminal investigation, in the issue of which the public were deeply concerned. If, therefore, an inquiry of that kind were to be taken out of the hands of the House it would, in his opinion, be difficult to show that it ought to be transferred to an inferior tribunal. The result of the adoption of the Government proposal would, in fact, lead to the anomaly that while we had the Judges in the Superior Courts trying actions for assault, for debts of £50, and other small matters, we should have an inferior tribunal hearing cases of far greater importance than those which ordinarily went before the superior Judges, and second in importance to none. In saying thus much he must not be understood as contending that the jurisdiction to try Election Petitions should be imposed. He meant simply to reserve to himself the right to re-consider the very important question whether it was desirable that the House should part with that jurisdiction or not.

MR. RUSSELL GURNEY said, he was extremely disappointed on hearing the announcement of the Chancellor of the Exchequer. He (Mr. Russell Gurney) had the honour of sitting on the Select Committee, and although he did not enter upon his duties at all prepossessed in favour of the scheme which was ultimately adopted, there were two conclusions to which he was necessarily forced. One was that it was desirable that the jurisdiction should no longer remain in that House. For nearly a century the House had been trying to invent a scheme by which that jurisdiction should be retained, and keep up an impression both in and out of doors that justice was done. They had not succeeded in that object. The other conclusion to which he was driven was, that if the jurisdiction was to be taken from that House, it should be placed nowhere but in the highest tribunal in the land, in which the public at large had general and unlimited confidence. They had that confidence in Her Majesty's Judges, but it was a matter of doubt in his mind whether, if the jurisdiction was not transferred to them, it should be transferred at all.

MR. SANDFORD said, he hoped the House would pause before it gave its assent to the proposal of the Government, which he looked upon as being one of a most dangerous character, inasmuch as it would confer on a barrister of seven, eight, or ten years' standing the power of preventing a man from taking his seat in Parliament for seven years, or it might be for life. He had no wish to see the House give up its jurisdiction in question over its own Members; and the highest constitutional authorities were, he believed, in favour of its maintenance in the hands of the House. He at the same time felt that there was considerable force in the remark of his hon. Friend the Member for Bedford (Mr. Whitbread) that the bar was too strong for the Election Committees as at present constituted, and he would venture to suggest whether that difficulty might not be obviated to a great extent by the appointment of competent assessors to aid them in the discharge of their duties. There was only one effectual way of getting rid of bribery, and that was by making it the interest of the boroughs themselves to put it down. In some boroughs in which bribery had extensively prevailed it had been put down by the respectable persons of both parties meeting together, and declaring it should no longer exist. If an Election Committee reported that any case of bribery had been proved, with or without the knowledge of the candidate, a commission should be sent down to inquire into the matter in the borough, and at the expense of the borough. The consequence would be that any candidate who bribed, or wished to bribe, instead of being the popular candidate, would be loathed, he might almost say, by the electors of the borough, who would be compelled to pay for his misdeeds. It was an error to omit from the provisions of such a Bill as that proposed some enactment for preventing bribery at municipal elections, where, by means of an annual machinery, bribery was practised in the worst and most extensive form; and so long as it was practised at municipal elections it would be impossible to put it down at Parliamentary elections.

MR. LOWE: It is unnecessary to defend the recommendation of the Select Committee, as nobody has impugned it, and even the right hon. Gentleman opposite has given it his frank adhesion; but it is said that the Judges refuse to give effect to it. Their duty to the Crown and to themselves, I suppose, prevents their doing so. That raises a large question, and with every respect for the Judges, I must say that the administrators of the law are under the law like everybody else, and if this House in its wisdom thinks fit to put any duties on them they must perform those duties or give up their offices to others. I am disposed to resent such an intimation as is stated to have proceeded from the Judges, for they are, like the meanest public servants, only a body of public servants. If the present number of Judges be sufficient to transact the work we ought to have it done; and, if not sufficient, we ought to increase the number. I hope, then, we shall consider the question on its merits, putting aside the intimation of the Judges, and not being deterred by persons who would be the first to say in their own Courts that no one is a good judge in his own case. With respect to the tribunal now proposed by the Government, I consider it most unsatisfactory. It is a tribunal *ad hoc*, existing in permanence only to perform this duty. Therefore, it may be expected that the persons composing the tribunal would be solicited, that their politics would be made matter of inquiry, that their conversation would be watched, and that they would become discredited in the public mind. It would likewise be a great expense to pay these gentlemen £2,000 a year each for work only to be done every four or five years; and for the £6,000 a year proposed to be given to the three you might increase the number of Judges by one, and have the benefit of the services of the additional Judge, not only temporarily, but permanently. Then, there is another objection to the scheme. The number of Election Petitions may hereafter be very numerous, and I rather think that what we have recently done is likely to lead to such a result. But how are we to deal with a large number of petitions by this Bill? It is only natural to suppose that the regular Judges, who have a special control over counsel, can conduct these inquiries much more expeditiously than the members of a tribunal which is only occasionally called into operation. I feel sure that the Government proposition will not be accepted by the House, and I state this now, because I hope that it is not too late for the Government to re-consider the matter. I am in favour of placing the jurisdiction in the hands of the first tribunal in the country, if it be taken away from the House, and should it be necessary, let some reasonable increment be made in the number of the Judges. In the time of Lord Eldon the whole equity business was transacted by the Lord Chancellor, a Vice Chancellor, and the Master of the Rolls; but the House is aware what a large addition has been made of late years to the judicial staff of the Equity Courts. In the Common Law Courts, however, the judicial staff has not been increased. There were, indeed, three Judges added, but that was for the purpose of getting rid of the Welsh Judges; and the judicial staff at Common Law is still very nearly the same as existed 100 or 200 years ago. It may be that the Judges are overworked, but that circumstance constitutes no reason for throwing the transaction of this particular duty on inferior persons.

Viscount CRANBORNE: I cannot agree in condemning the Judges for what they have done in this case. On the contrary, I think that the protest of the Judges was a patriotic protest, and that the Government has taken the right view in deferring to their opinion. The right hon. and learned Member for Southampton (Mr. Russell Gurney) said that if the Judges formed the tribunal they would possess unlimited confidence. But how long would they continue to possess it if this duty is thrown on them? Hon. Members speak of the Judges as if they were abstract entities, wholly apart from all external influences; but what are the realities of the case? Who is it that is selected to be a distinguished Judge? He is a man who has spent all his years immediately preceding his elevation in the hottest disputes of party, who was in the confidence of his party, and cognizant of all their political movements in Parliament. On every question which has arisen for years before his elevation to the Bench he was ranged on the side of his party, and held, as it were, a brief for them. He has learnt thoroughly to sympathize with his party, to feel for their reverses, to hope for their good fortune, and, on all occasions when he legitimately can, he is, no doubt, anxious to foster the growth of the principles he has always advocated. Such I take to be the feelings of a man appointed one of the chiefs of our Courts of Law. Several distinguished politicians have lately been raised to the Bench from the Ministerial side of the House, and supposing that shortly there should be a similar run of luck for politicians on the other side of the House, we shall have in course of time the judicial Bench pretty fairly divided among gentlemen of the highest intelligence, of different politics, in whom, as respects all ordinary questions, the country would place the fullest trust. But in a short time men will be actively engaged in election contests, and at a critical period some of our Judges—supposing the scheme of the Select Committee to be adopted—might be sent down to the country to decide on questions on which party passions ran high. I have no doubt that they would do their best to decide honourably and fairly, and in that endeavour might rather be inclined to decide against the party to which they belonged; but would they not be bespattered by all the filthy mud which election agents could scrape together? You shove them into the dirtiest part of election life, and you hope that they will come out clean! Try the question by some other case. Suppose you wanted a tribunal to enforce the Party Processions Act in Ireland, would you think it wise to select for the purpose the Grand Master of the Orange Association, or Archbishop Cullen? Yet the cases are analogous, for the Judges are persons who have been engaged in the very controversies upon which, according to the plan of the Select Committee, they were to decide. I admit all the difficulty of the question, and I sympathize in the views expressed by some hon. Gentlemen that it would be impossible to transfer this power from the House to any but the highest tribunal; but I should be very sorry, even for the purpose of putting down bribery, to lower in the eyes of the country those high judicial functionaries, whose character is of intense importance to all the country. I believe that in forwarding their protest to the Government the Judges were not guilty of any disrespect, but only performed their duty to their country as loyal subjects of the Crown.

Sir ROUNDELL PALMER: I think the noble Lord (Viscount Cranborne) has exaggerated the risk of political imputations being made against the Judges if they performed the duty proposed by the Select Committee to be assigned to them, and in the absence of more information than the House at present possesses I cannot help feeling that the communication made by the Judges to the Chancellor of the Exchequer was not such as to justify anyone in supposing that they declined on personal grounds undertaking any duties which this House might impose on them, and which they had adequate strength to discharge. If the communication from the Judges indicated any doubts in their mind as to the delicate question of retaining public confidence, should they be called on to discharge these semi-political functions, we should all, whether we agreed with them or not, be unanimously of opinion that the Judges did no more than their duty in stating their views on that point. Beyond this, the practical question arises as to the means which the Judges have of discharging this jurisdiction if it were imposed on them. The right hon. Member for Calne (Mr. Lowe) suggested that the number of the Judges, if not now sufficient, ought to be increased; and a Committee was now sitting to consider the whole of the judicial arrangements with a view to economizing the judicial powers for the public advantage. It will be necessary, with the present distribution of the judicial force, that there should be a considerable increase in the number of the Judges if they are to discharge these duties; but I think the House, before it forms anything like a definite opinion on this point, would do well to consider how far it is to be carried if the duty is to be adequately and efficiently discharged. The duty is essentially one of emergency, and comes with very great urgency after a General Election. I do not know that in future the number will be greater than in former times; but, even if they are only as numerous as formerly, it is quite clear that after a General Election there will be a large crop of Election Petitions. We cannot afford to have them taken in turn with other business; it is manifest they must be proceeded with *de die in diem*, without delay, and disposed of at the earliest possible moment. The right hon. Gentleman, recognizing that necessity, says you might send four or five Judges into the country for the purpose of doing this duty; but is the House prepared to recommend the appointment of four or five more Judges, in order that, on an emergency, they may discharge this duty? What would they be doing all the other years? In all probability the increase would considerably exceed what you want for the general judicial business of the country. I do not say the difficulty is insuperable; but it is one which requires serious consideration before the House comes to the conclusion that this is a practicable proposal. I repeat that I do not myself believe that the Judges would discharge the duty, if laid upon them, otherwise than to the general satisfaction of the public. I believe they would so discharge it as, in that duty, as well as in all other duties, they would retain public confidence. I do not agree with my noble Friend that those who fill high office, because they have taken their part in this arena, when they have to discharge duties unconnected with political subjects in their judicial capacity, have for many years past, or will in future, acquit themselves in such a manner that any considerable part of the public, even in places subject to particular prejudice, will believe them influenced by political considerations. If that were all, if there was no other difficulty, although I cannot but think the Judges were perfectly entitled to submit to the Government these considerations as influencing their minds, I should not be deterred myself by any such opinion from casting upon them these duties if I were satisfied, on the whole, that they were able to discharge them efficiently and well, consistently with the general administration of justice, and without laying on the public an excessive and needless increase of the judicial staff—an increase necessary for this purpose, but entirely unnecessary for any other. It is quite true that the present election tribunal labours under the disadvantage of the Bench being overweighted by the bar; but after all, that was not a very great disadvantage. I think there is high confidence in the Bench as constituted on the whole. If you have a local inquiry you might combine the advantage of examining into particular cases and doing what you now do by a commission of inquiry; but if the local inquiry must be conducted by the Judges, it will manifestly take a considerable time. I think all these points will require very serious consideration before the House comes to any practical conclusion on this question.

MR. HENLEY: I have listened to this discussion with very great interest. I am one of those who have the very gravest doubts whether the House ought to part with its jurisdiction in these matters. If you give up your jurisdiction, in a very few years I am persuaded you will be handed over to the tender mercies of the other House of Parliament. Once submit to the decisions of a Court of Law, and somehow or other that Court of Law will carry you up to the highest court of all. I view with the greatest jealousy any proposal that the House should give up its power of deciding these questions. I do not think we shall have them better decided. I think, in general, they are honestly decided, and I, for one, should be sorry to see them taken away from our own jurisdiction.

MR. AYRTON said, he wished to say a very few words on this question. He thought they were very much indebted to the learned Judges for having submitted such sound constitutional views to the Government in the shape of serious practical objections to this measure. He was not about to enter into the discussion of a proposal which the Government had found impracticable, and had, therefore, withdrawn; but he must say that the Judges were not open to the reflection that they were disposed to set themselves up against the legislative authority of the House. All they did was to state the constitutional and practical objections they entertained to the proposal. But it was said the House of Commons and its Committees were very unfit to deal with those questions. They were apt to be very sensitive as to the remarks made about tribunals on which they themselves sat; but if they went into the Courts on the other side of Westminster Hall they would hear enough to make them suppose that they ought all to be abolished too. The other day he was speaking to a most experienced naval officer, who insisted that the Court of Admiralty never could be made efficient or deserving the confidence of the public until the Judge was deprived of all power to express any opinion on nautical matters; his nautical assessors only should be allowed to do so. As to the Court of Chancery, it might be said, was it not a monstrous thing that a single Judge should undertake to decide complicated questions of fact without a jury? Was not that an objectionable state of things? Or, if they went into the Courts of Common Law, might they not be told that it was a monstrous thing that juries, uneducated people, should decide complicated questions of science; a highly-educated Judge only should be allowed to decide on the facts. Such were some of the opinions that were current, but, of course, nobody paid any attention to them. So it was said how monstrous that the House of Commons should sit on Election Committees! He saw nothing monstrous in it. A legislative assembly, to maintain its independence, must have the right of judging as to the seats of its members. That proposition was as well understood in the other House as it had always been in their own. It was true that some attempts had been made in other countries to place the Courts above the Legislature. It was so in the old Spanish Constitution; but he did not know that it existed now. There was also some such scheme in the United States; and they saw what they had there come to—they did not get on with it at all—and no country could; it was producing serious complications. He thought also there was a similar scheme in India, which also brought about difficulties. Indeed, nothing was more likely to produce confusion than any attempt to place the judicial above the legislative tribunals of the country. To take a practical view of this question, he asked if there were any defects in the tribunal, what were they, and what was the remedy? They had not exhausted their means or done their best to make the tribunal perfect. One radical defect had been pointed out. The Chairman, on whom so much depended, was selected nearly at haphazard. That was not altogether satisfactory, but it was obvious that the House had power so to improve the existing tribunal as to make it greatly superior for the purpose of disposing of Election Petitions to any tribunal out of the House that could be named. He could not conceive what special merit would attach to a second or third class Court of Justice composed of barristers something between County Court Judges and Bankruptcy Commissioners, which would entitle them to place so much confidence in it as to intrust it with power to decide difficult questions affecting the constitution of the House. No doubt, the Government had been extremely anxious to meet the supposed wish of the House that their jurisdiction in Election Petitions should be transferred to another tribunal, but he believed that that wish had no existence except in the minds of a very few hon. Gentlemen. He trusted that the discussion that had taken place on this subject would induce hon. Gentlemen not to assent to any proposition for taking away their jurisdiction in these matters, since it was evident that but small changes were required to make Election Committees all that could be desired. He did not believe that there was such a great want of confidence in Election Committees as was alleged to exist. He had sat upon those Committees himself, and he had not discovered any grounds calling for a want of confidence in those tribunals. He believed that instances might be quoted to show that there were no grounds for the aspersions which had sometimes been passed upon Election Committees, except in the impure minds of election agents; and these aspersions, moreover, were not founded upon the facts of the case. Those persons drew inferences from their own bad practices, and thus unjustly made imputations on the conduct of the House. He was satisfied that if hon. Members would only be true to themselves, and while retaining their proper jurisdiction in election matters, would effect certain minor alterations in the constitution of the Election Committees, those tribunals would decide most justly, and would well support the honour and dignity of the House.

Mr. BOUVERIE said, he thought that the Government, in submitting this proposal to the House, had taken the only course which was open to them under the circumstances in which they were placed. They had acted on the present occasion on the same assumption on which they had acted last year—namely, that the House was willing and anxious to part with its jurisdiction. This was, however, the first occasion for many years upon which that subject had been fully brought before the House, and he thought that the discussion that had taken place would show that any proposal to transfer their jurisdiction would be beset with great difficulties. The Committee which sat last year upon this subject, appeared to have gone rather rashly to work. After more or less discussion they appeared to have resolved that this proposition for transferring the jurisdiction of the House upon election matters should be adopted, on the condition, however, that it should be transferred to the Judges. A more prudent course for them to have adopted would have been, before they embodied that condition in their resolution and submitted it to the House, to have ascertained, through the medium of eminent persons on the judicial Bench, what were the opinions of the Judges upon the subject, since it was impossible to suppose that the Committee could anticipate all the objections which those learned persons might have to the proposal to transfer this jurisdiction to them. The Committee, however, did not adopt that course, but embodied this condition in a Resolution which was unanimously or almost unanimously agreed to. Under these circumstances the matter had come before Her Majesty's Government for their consideration. They had been told by the Chancellor of the Exchequer that the learned Judges objected to this transfer of jurisdiction, and doubtless their objections were based upon very sound reasons, such, for instance, as that which had been given by the hon. and learned Member for Richmond (Sir Roundell Palmer), who had informed the House that, looking at the amount of business the Judges had now to perform, it would be utterly impossible for them to discharge the additional duties which such a transfer of jurisdiction would impose upon them. The Government were thus placed in a difficult position, the Committee having agreed to a proposition last year to which the Judges now offered forcible objections. Acting on the assumption that the House was desirous that its jurisdiction should be transferred, the Government had no alternative under the circumstances he had referred to, except to propose the constitution of some other tribunal to which the jurisdiction might be transferred. The question before the House was a very grave one, and he was glad that this conversation had taken place upon it, because it would show persons both in and out of the House that much was to be said against the proposal for transferring their jurisdiction to any other tribunal. It might be that the machinery of Election Committees required improvement; but he did not think it was as bad as had been represented. With a competent Chairman and an efficient bar he thought, on the whole, that justice was fairly administered. It was not in complicated inquiries in which questions of law and fact were mixed up together, that these Committees were called upon to decide. The questions were generally easy and simple, and, apart from political prejudices, could be easily decided by the Members themselves. When certain improvements had been introduced into the constitution of these tribunals, he thought there would be no need to talk of transferring the jurisdiction. He was glad to hear the right hon. Member for Oxfordshire (Mr. Henley), whose authority on such a subject must necessarily be great, express so strong an opinion against the transference of the jurisdiction. He had himself come down to the House with a decided opinion on the subject, and that opinion had been strengthened by what had passed in the course of the debate, which showed that there was a strong preponderance of feeling against transferring their jurisdiction to any other tribunal.

SIR MICHAEL HICKS-BEACH said, in the case of the Totnes Committee—a Committee presided over by one of the most competent Chairmen of the House—namely, the right hon. Member for Kilmarnock himself, a unanimous resolution was passed unseating Mr. Pender for personal bribery, the other Member for the borough being allowed to retain his seat because no case had been proved against him. The only evidence upon which the Committee were able to unseat Mr. Pender was the case of a man named Harris, to whom it was alleged Mr. Pender had personally offered a situation. Strange to say, however, it afterwards turned out that the Commissioners sent down to Totnes decided that almost the only case of bribery which was probably without foundation was the very case for which Mr. Pender was unseated. That surely proved that an Election Committeee which had the advantage of a most competent Chairman was not so efficient as was often represented. For his own part he thought that this fact alone proved that some alteration like that proposed by the Government was absolutely necessary.

MR. BERKELEY said, he objected to the jurisdiction of the House being taken away from it. Such a procedure would seriously be a leap in the dark. If the House of Commons were competent to make laws governing life and property, it was surely equal to the task of determining which of its Members had been improperly elected. At a future stage of this Bill he should have a few words to say as to the means that should be adopted to afford efficient protection to the voter, a subject to which he hoped the right hon. Gentleman the Chancellor of the Exchequer would direct his attention.

MR. GLADSTONE: I quite concur with my right hon. Friend the Member for Kilmarnock, that no censure is to be cast on the Government for the course they have thought fit to adopt on this occasion. We must all feel that they were placed in circumstances of very great difficulty. They were bound, in conformity with their own convictions, to bring to an issue what I take to be the principle of this Bill—namely, the transfer of jurisdiction from the House of Commons, and, having themselves a strong opinion in favour of a certain course which has been objected to by the learned Judges, they have proposed another method of effecting the transfer which the right hon. Gentleman opposite candidly confesses to be an inferior one to that originally proposed. For my own part, I think that it is much more easy to find fault with the proposal which has been made by the Government than to suggest any other course which they could have taken. I rise only for the purpose of pointing out two or three propositions on which there has been a general concurrence of opinion, even amid the many conflicting views which have been held by hon. Members whose arguments on either side are entitled to great weight. I do not presume at once to give a final opinion upon the question as to the expediency of transferring the jurisdiction of this House upon election matters to another tribunal, but I entirely concur with Her Majesty's Government in thinking that if that transfer be desirable, and if we can provide an improved and practical mode, by means other than those afforded by this House, of dealing with the two important subjects of petitions in contested elections and the punishment of bribery, there are no constitutional objections to such a course being adopted. I am convinced that the course for this House to pursue in order to strengthen itself with the country is to cast aside those conditions—what may be called the ceremonial conditions—which weaker assemblies might be compelled to regard, and look simply to the question how can we best and most effectually maintain purity in the conduct of Parliamentary elections and proceedings connected with them. When we come to the question of a transfer of jurisdiction, I own it appears to me the Chancellor of the Exchequer is perfectly correct in saying, with perhaps some qualification, that under the present Acts of Parliament we have put the exercise of the jurisdiction of this House into as good a form as it is capable of assuming; and, if the transfer is to be made, it certainly will not be made because the Committees of this House had incurred disgrace by the mode in which they administered their functions since the reform introduced by Sir Robert Peel. Owing in some degree, perhaps, to increased publicity, but still more to the dictates of honour and the force of conscience, all feelings of political bias have been neutralized. And here, I venture to say, with respect to what fell from the noble Lord the Member for Stamford, when he speaks of the great difficulty and danger attending our committing these functions to gentlemen who have been petitioners, he must remember that they are now discharged by gentlemen who not only have been, but may be, petitioners. There are two considerations which recommend the transfer to me, and they are entirely of a practical character. I mention them for what they are worth, without giving any final opinion on the subject. The first consideration is that the Committees of this House have been found adequate only to deal with questions as between the parties contending for the seat, and not adequate to that other and still more important function of ascertaining the manner in which electoral privileges have been used at elections—whether purely or impurely. Now that is an essential fact, inherent in the exercise of power by Committees of this House. It appears to me another essential and inherent matter of great importance is this—that as long as Election Petitions are to be tried by Committees of this House, their trial must be attended with the sacrifice of the enormous advantages which attaches to local inquiry. By local inquiry there would be obtained advantages the value of which it certainly appears to me to be almost impossible to overrate. By such inquiry a more expeditious result would be obtained; and this is of the greatest importance—for what happens now? It frequently turns out that an Election Petition is not decided until perhaps four or five months of the Parliamentary Session have passed; and, during those four or five months it frequently happens that most important votes have been given—votes, perhaps, deciding the fate of great measures, or the fate of administrations—by Gentlemen who are not the true representatives of the electors of the kingdom. Well, if you can contrive a system more expeditious, it is of the greatest advantage, and if you can contrive a system more economical it is of the greatest advantage. The advantages resulting from local inquiry would be enormous. There are two vital and essential difficulties that seem to me inherent in the present principle, but I will come to no fixed conclusion on this Bill, which involves the transfer of the jurisdiction. With regard to the difficulty raised by the superior Judges, I do not venture to pronounce categorically; but this I venture to point out, that having now heard the opinions of some twenty Gentlemen in the course of this debate, including among them a very large number not only of persons of the greatest weight and experience in this House, but of those who have specially given their minds to the consideration of this very question, I do not think we have heard as much as one—I would almost include the Chancellor of the Exchequer—who, agreeing to the transfer of the jurisdiction, has been disposed to transfer it to any person whatever except the superior Judges. I own the discussion, as far as it leads to a positive conclusion, leads me rather to conclude that we should transfer this power to the first authority in the land than that we should retain it. It appears to me all the difficulty of principle and practice would be raised to a maximum by the endeavour to create a tribunal which will be judicial in its character, and which will not have the immense advantages of reputation which attach to the Courts of Law in Westminster Hall, and be placed in a position that would certainly have no parallel in the history of Courts of Justice in this country. It seems to me we have very nearly by this discussion elicited the mind of the House upon this point. I say that, without in the slightest degree censuring or criticizing what Her Majesty's Government have done, I think, with the opinion I entertain as to the transfer of jurisdiction, they are perfectly right in making the proposal for that transfer. I, for one, will be prepared to give the principle of the Bill a fair and candid consideration, whatever decision is come to.

MR. BRIGHT: The right hon. Gentleman the Member for Oxfordshire made an observation which appears to me of more value than any made during the course of this discussion. This matter of transferring the jurisdiction in cases of contested elections from the House of Commons to some other tribunal has been much talked of in past years. I think the highest authorities in the House have come, very naturally, to the conclusion that the case must be desperate. Indeed, when a popular house of representatives would turn out its power with regard to the determination of the right of men to take their seats in that House to any other tribunal, the case must be desperate. Now, I maintain there is no desperate case. I am disposed to agree with the right hon. Gentleman, and accept the warning he has given in this matter. Now, what is it a Committee appeared to do last Session, and what is it the House is asked to do now? It is dealing with a certain offence which is frequently committed; and as there is a sort of hopelessness that the offence can be got rid of, some short cut is to be got for the purification of the House; but there seems to be no intention on the part of the House to see whether we can prevent the offence, rather than take some extraordinary method of punishing it. Now, I should be very glad if we had before us information from other legislative assemblies in the world respecting this matter. We know something — a great many of us a good deal—of the legislative assembly in the United States. We know a good deal of what is done in the Parliament of the Colony of Australia. We know something also of the Parliaments in France, Italy, Prussia, and the smaller European kingdoms; and we have this lamentable fact to acknowledge, that this House in which we are now assembled is the only legislative assembly in which there is this great and intolerable grievance—that after a General Election the proceedings of the House are—I will not say interrupted—but in some degree disturbed by the number of petitions coming before the House complaining of undue electoral returns. There is no such thing in the other legislative assemblies of the world, and if any Member can give a contradiction to that, let him get up and state it. I might appeal to the right hon. Gentleman the Member for Calne (Mr. Lowe), who sits near me, and who knows the Parliament of Australia, or to the hon. Member for Pontefract (Mr. Childers). I received a letter only this morning from a gentleman who was in Australia for two years, and he refers to the very fact I have mentioned. The fact is, if you have small constituencies in any country in the world, and have open voting, the malady of corruption will prevail. There is no other remedy for the matter but to have large constituencies and secret voting. Hon. Gentlemen opposite do not like that remedy. They never do like any remedy— at least I proposed a great many remedies for a long time which they did not like. But that is a remedy. Now, the right hon. Gentleman the Member for Calne, looking at what took place last Session, and which he naturally did so much to bring about, has anticipated that after another General Election we shall have many more petitions than we have had previously. Well, I hope very much he may be disappointed; I believe also he will be disappointed. I think when you have larger constituencies you will be much more free from those eternal petitions. You have had no petitions—at least within my recollection—from Glasgow, Manchester, or Birmingham—indeed, scarcely from any of the larger constituencies in the kingdom. In the larger constituencies, where bribery is useless and impossible, you have no difficulty of this kind—no petitions. Now, I would prefer — if I might presume to offer advice to the House — that we should not take this transfer of jurisdiction, but look forward to what will happen within the next five or ten years—that a great number of the small constituencies will be abolished, because I find hon. Gentlemen on the opposite side are accessible to reason on that question—and they are as anxious as we are to abolish the small constituencies, so that a real population may be represented. I think the experience of Parliament is that those large constituencies, as a mere matter of machinery, will bring a large majority of the House and the country before long to accept the principle of the ballot. ["No!"] With that view, then, looking forward, not to an increase of the evil, as the right hon. Gentleman expects, but rather to a diminution of it; and looking forward to the House coming by-and-by—as it gradually and slowly comes to many sensible conclusions—I believe it will do away with the small constituencies where the temptation to bribery is so great, and for the sake of the purity and tranquillity of elections will grant the shelter and security of the ballot; therefore I am unwilling to make the transfer which some hon. Gentlemen have recommended, and which the right hon. Member for South Lancashire appears to give some colour to. I think it is a very unpleasant, extraordinary, and, I would say, desperate remedy. I think the case is not desperate. I would rather look forward for a few years, hoping that remedy will not be required, and without the House of Commons abdicating its functions, that, finally, it will no longer be ashamed of the number of petitions presented after General Elections. One or two petitions I can readily understand coming from accidental circumstances in particular boroughs; but a shoal of forty, seventy, or eighty petitions is an absolute disgrace to the English Parliament. I am not without hope that public opinion and measures of Parliament may provide some remedy for the disgrace without our being compelled to humble ourselves before the world, and say, "We have been obliged to transfer from ourselves the power which constitutionally belongs to us, and to give it to another tribunal, which, indeed, we make by Act of Parliament, but which, when we have made it, will be, with regard to its decisions, absolutely independent of us."

Mr. LOCKE said, he would not have risen had it not been for what had been said with reference to the petition against the return of Mr. Pender. The circumstance which had been pointed out might have occurred even if the inquiry had taken place before the Judges, for it frequently happened that where a new trial was granted entirely different evidence was adduced to that brought forward at the first, and an entirely different result arrived at. The nature of the evidence taken before a Commission was altogether different from that brought before an Election Committee; and Election Commissions had been established, as was well known, for the purpose of making an inquiry which no Court of Justice could by any possibility make, inasmuch as the witnesses gave their evidence under an indemnity, and were therefore quite willing to make statements which they would refuse to make in an ordinary investigation on account of their rendering themselves liable to penal consequences. He entirely coincided with the hon. Member for Birmingham that that House must be in a very desperate position indeed if it were obliged to transfer to another tribunal powers which it had possessed from time immemorial. In the very large constituency which he represented no bribery had ever taken place within his knowledge, and, indeed, in large constituencies it was no use bribing; whereas in very small constituencies the vote did sometimes become a valuable marketable commodity, and was so treated. He thought the greatest safeguard would be the enlargement of constituencies and the introduction of vote by ballot, which would be an effectual check to bribery, as men did not choose to throw their money away upon an article which they might not obtain after all. He hoped that the House would fully consider this matter, and would maintain, as far as possible, those rights and privileges which they at present possessed.

Mr. BONHAM-CARTER said, they were all too ready to find fault with themselves, and he thought there had pervaded the debate rather an undue disparagement of the existing tribunal. He agreed with the Chairman of Committees that the great difficulty of the present tribunal was the mode in which the evidence was presented to it. It was possible that by some local inquiries they might be able to supplement to great advantage the present system; but they ought to hesitate before coming to the conclusion that Election Committees, as now constituted, were useless and unfair. The fetters which the Act of Parliament imposed upon them prevented Committees conveying to the public that appearance of fairness which they might have if their discretion were less controlled. He had sat for many years upon the General Committee of Elections, and even in times of great political excitement he had never heard any charge of unfairness made against the selected members, or the Chairmen of Election Committees.

Mr. GOLDNEY said, he was of opinion that a great many of the defects which had been pointed out arose from the very limited powers Committees had of dealing with the various subjects before them, all they could inquire into and decide upon being whether the seat belonged to the petitioner or the sitting Member; whether the election was void; and whether a new writ should issue. Before they threw away the existing jurisdiction they should consider whether, if the extensive powers proposed to be given by this Bill to the existing Judges, or to the new Court were given to Election Committees, it would not be possible to deal with these questions in as satisfactory a manner as they could be if the House parted with its jurisdiction.

Mr. DARBY GRIFFITH said, he considered that the Chancellor of the Exchequer was entitled to considerable credit for having brought forward this subject on the first day of the Session, and for the candid manner in which he had related to the House all the circumstances connected with his recommendations. He hoped the right hon. Gentleman would be induced to go a little further, and satisfy the natural curiosity of the House as to the exact nature of the communication which had passed between the Judges and Her Majesty's Government; whether this was merely in the nature of advice given, whether it was a round-robin signed by all or only a portion of the Judges, or whether it amounted to a strike on the part of the Bench. Under the existing system impartiality was out of the question; for, in the first place, as we have been told, two Members from each side of the House were nominated upon Election Committees distinctly as equally representing the two political parties, and the Chairman, who was professedly appointed from a different source to that of the other four Members, nevertheless, himself, as a Member, naturally participated in the feelings and passions of the House. In fact, the precautions which are habitually taken by the House to insure impartiality in dealing with a Bill concerning the affairs of a joint-stock company were directly reversed. The hon. Member also expressed a hope that the Chancellor of the Exchequer would explain why from the present proposals of the Government that provision had been omitted upon which so much stress was formerly laid — namely, the proposal to give to the candidate whose conduct was proved to have been pure the seat forfeited by the candidate convicted of bribery. He had troubled the right hon. Gentleman with a letter on this point, and the secretary of the right hon. Gentleman had done him the favour to call upon him. But his explanation—*lucus à non lucendo* — did not render the case very clear. At least, it seemed to him that the Chancellor of the Exchequer had yielded very easily to whatever objections had been made from some subordinate quarter. As matters at present stood the greatest impediments were thrown in the way of petitioners, for the candidate who performed the públic duty of petitioning incurred not only the expense, but the unpopularity of the proceeding, and, unless seated by the ordeal of a scrutiny, he never ventured to go down again to the constituency. He was put in this position — after bringing his action he was not allowed to win his cause.

Motion *agreed to.*

Bill for amending the Laws relating to Election Petitions, and providing more effectually for the prevention of Corrupt Practices at Parliamentary Elections, *ordered* to be brought in by Mr. CHANCELLOR of the EXCHEQUER, Mr. Secretary GATHORNE HARDY, and Sir STAFFORD NORTHCOTE.

Bill *presented,* and read the first time. [Bill 27.]

House adjourned at half after
Seven o'clock.

HOUSE OF LORDS,

Friday, February 14, 1868.

MINUTES.]—PUBLIC BILL — *Report of Select Committee*—East London Museum Site * (12).

Their Lordships met; and having gone through the business on the Paper, without debate—

House adjourned at a quarter past Five
o'clock, to Monday next, a quarter
before Five o'clock.

HOUSE OF COMMONS,

Friday, February 14, 1868.

MINUTES.]—SELECT COMMITTEE—On Public Accounts *nominated.*
PUBLIC BILLS—*Ordered*—Habeas Corpus Suspension (Ireland) Act Continuance.
First Reading—Habeas Corpus Suspension (Ireland) Act Continuance [28].
Second Reading—Public Schools [24].

TRIAL OF ELECTION PETITIONS.

QUESTION.

MR. KNATCHBULL-HUGESSEN said, he rose to give notice that on Monday he would ask Mr. Chancellor of the Exchequer (unless the right hon. Gentleman thought fit to answer the Question now), Whether he has any objection to lay on the table the Copy of the communication made by the Judges to Her Majesty's Government relative to the proposed transfer to them of the trial of Election Petitions?

THE CHANCELLOR OF THE EXCHEQUER: Sir, it may be rather irregular to do so, but perhaps I may be allowed to reply at once to the inquiry of the hon. Member. I have already moved that this Paper—a letter from the Lord Chief Justice of England to the Lord Chancellor—should be laid on the table, and I hope it will be in the hands of hon. Members tomorrow morning.—[*Parl. P.* No. 50.]

PROBATE DUTY ON LEASEHOLD PROPERTY.—QUESTION.

MR. KINNAIRD said, he wished to ask the Secretary to the Treasury, Whether it is the intention of the Government to bring in a Bill to carry into effect the recommendations made by the Inland Revenue Commissioners in their last Report, relative to the assessment of Probate Duty on Leasehold Property subject to mortgage?

MR. HUNT said, in reply, that he proposed to introduce a measure upon this subject in the course of the present Session.

REPORT OF INLAND REVENUE.

QUESTION.

MR. CRAWFORD, said, in the absence of his hon. Friend (Mr. Alderman Lawrence), he would beg to ask the Secretary to the Treasury, When the Report of the Commissioners of Inland Revenue for the year ended the 31st March, 1867, which was presented to the House in August last, will be printed and placed in the hands of Members?

MR. HUNT, in reply, stated that the Report of the Commissioners had been received, and that it would be distributed to hon. Members to-morrow.

MALTA AND GIBRALTAR SHIELDS.

QUESTION.

MR. O'BEIRNE said, he would beg to ask the Secretary of State for War, When the Report of the Committee appointed to superintend the experiments upon the Malta and Gibraltar Shields will be placed upon the table; and whether the same Committee had been instructed to superintend and report upon the experiments to be made with reference to the Bermuda Fort and the Plymouth Breakwater Fort; and if the Committee have not been so instructed, is it his intention to place those experiments also under their superintendence?

SIR JOHN PAKINGTON said, in reply, that the Committee on the Malta and Gibraltar Shields had almost completed their Report, and he expected to be able to lay it upon the table of the House in the course of next week. That Committee was not instructed to superintend and report upon the experiments made with the Bermuda and Plymouth Breakwater Shields; their duty was performed when they reported on the Malta and Gibraltar Shields, and, that duty being completed, their labours would be at an end. But four shields on the Gibraltar principle had been sent to Bermuda, and those would be included in the Committee's Report. As the hon. Gentleman had referred to the Bermuda Shield, he was, no doubt, aware that the shields intended for Bermuda and Plymouth were on the same principle. A target had been constructed on that principle, which was to be experimented on shortly, but it would not be by the same Committee.

REPRESENTATION OF THE PEOPLE (IRELAND) BILL.—QUESTION.

MR. STACPOOLE said, he rose to ask the Chief Secretary for Ireland, If it be the intention of the Government to bring forward, this Session, an Irish Reform Bill; and, if so, when it will be introduced?

THE EARL OF MAYO said, in reply, that the same Question was put on the previous evening to his right hon. Friend the Chancellor of the Exchequer, and he (the Earl of Mayo) had to give the same answer as his right hon. Friend—that the Government would fix a time in a few days.

REPRESENTATION OF THE PEOPLE ACT, 1867—THE COMPOUND-HOUSEHOLDER.—QUESTION.

MR. SANDFORD said, he would beg to ask Mr. Chancellor of the Exchequer, Whether Her Majesty's Government intend to bring forward any Measure to relieve the Compound-Householders from the personal payment of Rates, to which they have been made liable by the repeal of the Small Tenements Act?

THE CHANCELLOR OF THE EXCHEQUER: I infer, Sir, that my hon. Friend intends to limit his Question to those ratepayers who dwell in Parliamentary boroughs, but I need not remind him that in Parliamentary boroughs there are no compound-householders. The House will remember that the alteration in the position of those persons who were compound-householders was carried unanimously here, and also that the Act which terminated their existence has, comparatively speaking, only recently come into operation. So far as the compound-householders are concerned, it only came into operation on the 29th of September; and, generally speaking, I believe, that during the interval which has elapsed, from the passing of the

Act to this moment, only one rate has been levied throughout the country. It must be obvious, therefore, to the House that we are in possession of very limited experience upon the subject; and Her Majesty's Government would hardly think it seemly, as the result of so limited an experience, to impugn an alteration unanimously acceded to by the House of Commons.

BRITISH RULE IN INDIA.—QUESTION.

Mr. KINNAIRD said, he would beg to ask the Secretary of State for India, Whether he has any objection to lay upon the table of the House a Copy of the Papers containing the Opinions as to the comparative merits of British and Native rule in India, which have been collected and sent home by Sir John Lawrence?

Sir STAFFORD NORTHCOTE: Sir, there will be no objection to produce these Papers. I will move for them on Monday.

THE WEST INDIA MAILS.—QUESTION.

Mr. KINNAIRD said, he wished to ask the Under Secretary of State for the Colonies, Whether the Royal Mail Steamers are to continue running to St. Thomas's as the place for delivering and receiving the Mails, or whether it is intended to adopt any English Island for that purpose; and, if so, what Island and Harbour?

Mr. ADDERLEY said, in reply, that the West Indian mails would not continue to call at the island of St. Thomas. One of the English islands would be selected for the new station. In deciding which should be selected several considerations occurred, such as which would be the best point of departure for the mails to other islands, from Bahamas northward to Guiana south, and which was on the best line to Panama, as well as the suitability and capability of the harbours offering themselves in the different islands. The matter was still under the consideration of the various departments concerned, but no final decision had yet been come to.

ACCIDENTS ON THE TRENT VALLEY RAILWAY.—QUESTION.

Mr. NEWDEGATE said, he wished to ask the Vice President of the Board of Trade, Whether his attention has been directed to the dangerous state of the Nuneaton Station and level crossing on the Trent Valley Railway, and to the fatal accidents which have recently occurred there; and, whether he will have any objection to lay upon the table of the House two Reports of Colonel Yolland to the Board of Trade on this subject?

Mr. STEPHEN CAVE: Sir, the attention of the Board of Trade was directed to the dangerous state of the Nuneaton Station crossing by a Report of Colonel Yolland in January, 1865, and in consequence of a fatal accident which occurred there last month Colonel Yolland has again inspected the station, and reported that the crossing has not been altered, and that owing to the increase of traffic the danger is greater. A Copy of each of these Reports was sent to the Directors, which is all the Board of Trade can do in such matters. The last Report will shortly be printed among the Returns of accidents presented to Parliament. And I propose to move, at the proper time, that both be referred to the Committee on the London and North-Western Company's Bill of this Session. If the hon. Gentleman still wishes to move that these Reports be also laid upon the table of the House I shall offer no opposition.

THE NEW COURTS OF JUSTICE.

QUESTION.

Mr. BENTINCK said, he wished to ask the Secretary to the Treasury, Whether an Architect for the New Courts of Justice has been appointed, and, if not, what is the present state of the question?

Sir GEORGE BOWYER said, before the hon. Gentleman answered this Question he would wish to ask another on the same subject. He understood that the Commission on the Courts of Judicature had under their consideration a proposition which was laid before them by Lord Justice Cairns, the effect of which would be to abolish all the Law Courts in London, and to have only Courts of Appeal in London, confining the Courts of First Instance to the country. He wanted to know if Her Majesty's Government had had that subject under their consideration, because if it were adopted so large a building as was originally projected would not be necessary? He also wished to ask the Government if they were aware of this proposition, and what its effect, if adopted, would have upon the building which was now proposed to be erected?

Mr. HUNT, in reply, said, in answer to the first Question of the hon. Member

(Mr. Bentinck), that no Architect had yet been appointed. The present position of affairs was this: In consequence of what passed in that House during the short Session a communication had been made from the Treasury to the members of the Commission, and the Commission had replied by a suggestion to the Treasury that the opinion of the Attorney General should be taken on the subject of what would be the legal effect of the recommendation of the judges of designs. The Treasury had adopted that suggestion, and a case was now being prepared for the opinion of the Attorney General. As to the other Question, put by the hon. and learned Member for Dundalk (Sir George Bowyer), the Commission had not yet made its Report to the Government, and therefore the Government was not in a condition to take the subject into consideration.

THE BOUNDARY COMMISSION.

QUESTION.

Mr. BEAUMONT said, he would beg to ask the Secretary of State for the Home Department, When the Report of the Boundary Commission will be delivered to Members of Parliament?

Mr. GATHORNE HARDY: Sir, the Report of the Boundary Commission was delivered to me yesterday; it was laid on the table of the House last night, and, although a very bulky volume, I believe it will be in the hands of Members in a few days.

ARMY—DISTINGUISHED-SERVICE MAJORS.—QUESTION.

Sir CHARLES RUSSELL said, he would beg to ask the Secretary of State for War, Whether, after the consideration he has been able to give the question, he is prepared to place the distinguished-service Majors on the same footing with regard to promotion as the distinguished-service Lieutenant Colonels?

Sir JOHN PAKINGTON: I am afraid, Sir, that I shall not be able to put the distinguished-service Majors to whom my hon. and gallant Friend has referred on the same footing as Lieutenant Colonels; I hope, however, to be able to make a concession to those distinguished Officers which will be satisfactory to them; but I cannot state at present the exact mode in which it will be done.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

EDUCATION.

QUESTION, OBSERVATIONS.

Mr. W. E. FORSTER rose to ask a Question of which he had given notice; and though he put it on going into Supply, he could assure the House that he would not detain them long. It was to ask the Chancellor of the Exchequer whether, the Education of the People having been referred to in Her Majesty's Speech, it is the intention of the Government to bring forward during this Session any Bill affecting the Elementary Education of the People of England and Wales? The words of Her Majesty would, no doubt, be in the recollection of most Members. They were—

> "The general Question of the Education of the People requires your most serious Attention, and I have no Doubt you will approach the Subject with a full Appreciation both of its vital Importance and of its acknowledged Difficulty."

He thought he might state on behalf of the great majority of the House that they felt a deep interest in this important question, and that the only reason why it was not referred to in the debate upon the Address was the feeling that, as Parliament had been called together for an exceptional purpose, it would be hardly fair to ask Her Majesty's Government what their intentions were until the usual time. The right hon. Gentleman indeed had, in the course of his speech on that occasion, volunteered the assertion that that passage in Her Majesty's Speech was not to be regarded as a rhetorical flourish; but that was hardly in accordance with what passed elsewhere on the same occasion. He had been informed that the Prime Minister, in "another place," referring to the passage of the Queen's Speech which he had quoted, used these words—

> "In regard to education in England, it requires much more information than we possess, and I cannot but feel that the time is hardly ripe for coming to a definite conclusion in regard to it."—[3 *Hansard*, cxc. 49.]

On hearing that interpretation put upon the passage by the highest authority, he felt it his duty to ask on the first opportunity what the real intentions of the Government were on the subject? He could not help saying that he ventured most humbly to dissent from the statement of the Prime Minister, notwithstanding his high authority. If it was information merely that was necessary to settle the question they need not wait any longer. They had information. What with Committees and Commissions, information had been abundantly obtained. There had been the Duke of Newcastle's Commission on the subject, and since that time there had been two or three Committees, one of which sat for two Sessions under the presidency of the right hon. Gentleman the Secretary of State for War (Sir John Pakington). Besides, the House from year to year had been in possession of the most complete Reports from the Inspectors who were appointed to examine and report on the state of the different schools, and from the Committee of Council. And, in addition to this official information, they were in possession of a vast mass of un-official information, so that it could not be said they had not information enough to enable them to proceed to legislate. The statement which had been made by the highest authority was made three months ago, which now-a-days was a very long period, events marched so quickly. Nearly three months after that expression of opinion on the part of the Prime Minister a very different statement was made by the noble Lord the Foreign Secretary at a great gathering at Bristol. The Prime Minister had said "the time was hardly ripe for coming to a definite conclusion;" but his noble Relative said he thought "the present time was favourable for the passing of a wise, a large, and a well-considered measure for the education of the people." The noble Lord's exact words were, "I do hope that the next two or three years will not pass away without leaving behind them something not less memorable than the Reform Bill of 1867"—a statement which was received with loud cheers; and he gave a most excellent reason for coming to that conclusion, for he added that "the present time was favourable for the passing of a wise, a large, and a well-considered measure for the education of the people." It was quite true the noble Lord had said he hoped two or three years would not pass away without leaving behind something memorable, but they all knew that this question of education was not one to be finally settled in a day; but if Her Majesty's Government were in possession of "a wise, a large, and a well-considered measure" he hoped they would not keep it back from Parliament. He was not at all surprised that there should have been some change of opinion in the Government. The Home Secretary, following the noble Lord at the same gathering, alluded to the business of this Session, the Reform Bills for Scotland and Ireland, the Boundary Bill, the Bribery Bill, and besides this, there must be some measures for Ireland, but, though he seemed to come to the conclusion reluctantly, he added that it would be necessary to have an Education Bill. The arguments for delay were strong, but there were stronger arguments still for proceeding to action, one of the strongest of which was to be found in the Acts which had been passed last year. In that year they had greatly extended the Factory Acts, and had passed the Workshops Act, measures which seriously affected the question of education. The Chancellor of the Exchequer stated on another occasion that he did not think the country would ever consent to base popular education on compulsion. As regarded direct compulsion the right hon. Gentleman was perhaps correct; but with respect to indirect compulsion, and compulsion of a very strong kind, the House had already consented to it. They had already passed Acts which might be said to base the education of the working children of working men in towns on compulsion, because they had made their labour before the age of thirteen possible only upon condition of a certain amount of education. The right hon. Gentleman acknowledged, having taken that step, that it became doubly incumbent upon Parliament, after having decided that parents should not receive their children's wages, nor employers obtain their labour, unless they attended schools, to see that there should not only be schools, but good schools, to which they could go. Another reason why it was important that something should be done was the way in which the money was voted out of the taxes of the people for educational purposes. There was a great injustice in the present distribution of that money, for many districts received no benefit from it, and what made this the harder was that those districts were the poorest. To meet that difficulty by lowering the qualifications would have no good result, as would be evident to any one who had read the remarks of Sir James Shuttleworth, who had probably studied the education question more than any man in the country. He had shown that the diminution of the qualifications of masters had led to a great disregard of higher teaching, and also to a lowering of the tone of the schools, so that even elementary instruction became less successful. The arguments he had just adduced for immediate action were based on what Parliament had done; but undoubtedly the strongest arguments rested on what Parliament had not done, and he thought there was now a prevalent feeling that it was time for us to change our system, and that the State should take the initiative. That feeling was founded on the fact, which he felt himself compelled to admit, that, notwithstanding all the money which had been voted, half the children of the working population of England were destitute of anything that could properly be called education, the present system giving help, not where it was most wanted, but merely to those who were helped by others. He also agreed with the noble Lord (Lord Stanley) that the present was a favourable time for settling the question, seeing that the present Government were not a whit behind their opponents in the desire or the power to deal with it. The noble Lord, in his Bristol speech, said, and very truly—

> "This is a question on which the Conservative party are not one whit behind their opponents in their desire and in their power to deal with it, for Lord Derby was the founder of the system which, with certain modifications, now existed in Ireland, and my right hon. Friend (Sir John Pakington) long ago took up the question as relating to England, and others have helped according to the measure of their ability."

The noble Lord might properly have mentioned himself, for the main principle of the Bill brought in by his right hon. Friend (Mr. Bruce) last year, and on which the right hon. Member for South Lancashire and himself put their names, was borrowed from a Bill brought in by the noble Lord and the right hon. Gentleman the Secretary for War—namely, the principle of a rate in aid. The supporters of that Bill, moreover, were the successors of those who induced the noble Lord and the right hon. Baronet to bring forward the Manchester and Salford Bill in 1852. That principle of rating, which had now gained considerable popularity, was advocated by the right hon. Baronet at a time when it was by no means popular, and he was glad to find by the excellent draft Report which he submitted to the Committee over which he presided, that the right hon. Baronet had not changed his opinion. For these reasons he thought it desirable that the settlement of the question should be undertaken by the present Government. In addition to that, it was possible that a Government led by the Chancellor of the Exchequer would be able in one very important respect to deal with the question better than any Government on that (the Opposition) side of the House, for his Government might very possibly—nay, very probably — carry with them more completely the clergy of the country, for whose past efforts in the cause of education he felt very grateful, and whose continued co-operation he wished to secure, because he could quite understand that they might place greater confidence in a measure introduced by a Conservative Government than in one promoted by the Liberal party. His right hon. Friend (Mr. Bruce) being absent in consequence of a domestic affliction, he hoped the House would allow him to explain the reasons why, besides putting this question to the Government, he had, on his behalf, given notice of the re-introduction of the Bill of last year. Promoters of that measure, of various political and religious opinions, had agreed upon important alterations in it, and it had been thought due to the House and the Government that the Bill in its modified shape should appear on the Votes. The noble Lord, however, having promised a large, wise, and well-considered measure, he could hardly suppose that the Government contemplated a mere tinkering of the Revised Code, and he trusted that their measure would be such as to render it needless to proceed with the Bill of last year. If there ever was a question which was not a party question it was the question of education; and, indeed, he thought party would have to be dispensed with in dealing with most social matters. The Chancellor of the Exchequer had made it not very easy either to oppose or support him as a party Leader; but in this case, there being a general unanimity as to the principle and the object, with great differences of opinion respecting the details and machinery, a free discussion in Committee would be necessary on any Bill, whether brought in by the Government or not, and it would probably require extensive modifications before it was passed. As to the principle, there was, he thought, a general conviction that the old haphazard system could no longer be trusted to, and that the education of the poor must not remain at the mercy of the inability or unwillingness of the parent or the apathy of the neighbours. The position of the question had very much changed since last year, for the very influential party, more powerful in the country than in the House, which had been opposed to State interference, now admitted that the facts were too strong for them to struggle against, and were anxious, under certain safeguards, for a good system of State education. Those, moreover, who had strongly insisted on a secular system, not from any dislike to religion, but from a belief that education could not be successfully provided by denominational schools, were now mostly in favour of giving aid to the latter, while on the other hand the friends of denominational education no longer objected to grants to secular schools. The agitation, too, against the Conscience Clause was now resuming its proper proportions, for vast numbers of the clergy, and men of very strong opinions, were evidently coming to the conclusion that nothing could be more fatal to the interests of religion than to allow popular education to be delayed by what was called the religious difficulty. Most people, he thought, agreed with the right hon. Gentleman opposite (Mr. Gathorne Hardy), who, in his speech at Bristol, said the object of the Government should be to bring education home to every child in the country; or, as the hon. Member for Banbury (Mr. Samuelson) stated, it was the duty of every district to provide the means of elementary education for the children who lived in it. With this concurrence of opinion, however, as to the principle, there were differences as to the extent and the manner in which a district should be rated. Next came the question what aid should be given to the rates out of the taxes of the country, and under what central control it should be administered; or, in other words, how they could best preserve that principle of local self-government, so dear to their traditions, while also maintaining a high standard of efficiency by central supervision. Then there was the very important question whether the schools should be free, or, if not, to what extent they should expect the parents to pay? There was likewise another most important question—namely, how they could best preserve the present voluntary zeal on behalf of education while supplementing it by public assistance, either by taxes or by rates, and in what manner and on what conditions they should help existing schools? Lastly, there was the question, how they could best reconcile the rights of conscience of individual parents with the general desire felt by most parents for the religious education of their children? Those were all of them important points of detail, which would require in their discussion the exercise of that spirit of give and take to which the noble Lord the Foreign Secretary had so well alluded; but they could be better handled in a Bill brought in by the Government. He had, therefore, to ask the right hon. Gentleman in what manner he meant to call upon the House to respond to Her Majesty's expressed wish that the serious attention of the House should be given to that question, and more especially whether the Government intended to introduce a measure relating to it during the present Session? A chief argument in the minds of many for at once tackling the subject of education was the passing of the Reform Bill of last Session. That was not, with him, a reason for immediately settling that question. He had been anxious before to settle it, and he did not know that he was more anxious to do so now. If the Reform Bill was likely to do harm, the harm would be done before their educational measures took effect; and, on the other hand, he believed that the great good of the Reform Bill would be shown before those measures took effect. He admitted, however, that it would be wise, while giving the working classes an increased share of political power, to make a better provision for their education. It might be said that they should wait till the next Parliament before attempting to pass a bold, large, wise, and well-considered measure; but if they wished to pass such a measure now they need not fear that the new and enlarged constituencies would be hostile to it. There was no question on which our working-men were so earnest, on which they felt so strongly that the State ought to act, on which they were more ready to make sacrifices, or on which they were more thoroughly convinced that the honour and welfare of England depended than on that of education. The working-men were a class peculiarly accessible to sentiments of national pride and honour; and he believed that a feeling prevailed among them that this country could not much longer afford to be as uneducated as it was; that, as we must expect other nations, especially on the other side of the Atlantic, to grow greater in population than we were, it was only by adding to the power of the individual, and not by increasing our numbers, that we could hope to hold our own in the world. The working-men believed in the old saying that knowledge was power, and they were fully as anxious as any other class that the power of England should be augmented by the improved education and better culture of its inhabitants.

THE CHANCELLOR OF THE EXCHEQUER: The Question put by the hon. Gentleman is a very fair and natural question on his part. The subject to which it refers is one which was mentioned in the Queen's Speech, and acknowledged by both sides of the House to be of paramount importance. I am, therefore, not surprised that the hon. Member should make an inquiry as to the course which the Government intend to pursue with regard to it, particularly after the mention of the subject in Her Majesty's most gracious Speech, and knowing as we all do that the hon. Gentleman, much to his honour, has taken a lively interest in this subject. But, although I admit the fairness of the question on his part, and although I am ready to recognize that it was a very natural step for him to take, I confess that I do not so entirely approve the manner in which his inquiry has been made, because he has availed himself of an opportunity which the forms of the House allow to hon. Members to enter into a great deal of argument upon points of magnitude and controversy bearing on the question of national education, and has at some length given the reasons which have induced him to arrive at certain conclusions on the subject. Now, there are two reasons why I cannot follow his example at the present moment. In the first place, I think it is a very inconvenient thing to have a debate upon education on so desultory an occasion as this, which, although convenient in many instances, is hardly adapted to a subject which would require sustained and complete discussion on both sides, and from which the interest of the House might, in a moment, be diverted by another topic being suddenly introduced. That is one ground upon which I feel myself precluded, under any circumstances, from embarking in a lengthened discussion on a matter of such magnitude as that to which the hon. Gentleman now invites our attention. If the question had been brought forward as a Motion, of course Her Majesty's Ministers would not have shrunk from entering into debate, and stating the policy which they think the Government and the House ought to adopt. But the other reason why I hold that it would be extremely inconvenient for the Government at all to enter into discussion now is, that great misapprehension might thereby be occasioned at the outset as to their purposes and views, seeing it is their intention, and has been their intention for a long time, to introduce a measure with respect to the elementary education of the children of the labouring classes in the present Session of Parliament. Therefore, I think the House will agree with me, under these circumstances, that it is with no disrespect to the hon. Gentleman, whose position in regard to this question is generally recognized and does him credit, that on the present occasion I refrain from further trespassing on the attention of the House.

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

PUBLIC SCHOOLS BILL—[BILL 24.]

(*Mr. Walpole, Sir Stafford Northcote, Mr. Secretary Gathorne Hardy.*)

SECOND READING.

Order for Second Reading read.

MR. WALPOLE, in moving the second reading of this Bill, thought it as well to enter into some of the details of the proposition sent down to them by the House of Lords, inasmuch as it had never yet been fully considered by the House. The measure was substantially the same as the one which came to them from the House of Lords last year, with a few alterations and exceptions. It was founded on the Report of the Royal Commission, and its object was to carry into effect the recommendations of that Report in the manner and after the example adopted in the case of the Universities when a similar Report preceded the measure brought into Parliament with respect to those learned bodies. The House would bear in mind that the Report on which the present Bill was based referred to nine public schools, whereas the Bill itself referred only to seven. The reason why the whole of the nine public schools were not included in the measure was that two of them—

namely, the Merchant Taylors' and St. Paul's Schools—had been deemed more or less schools of a private and not of a public character; that they were under the management and control of two of the great City companies, who had the power of applying the property now devoted to those schools, or a great proportion of it, in such a manner as they might think fit, instead of continuing to apply it to educational purposes; and that, therefore, there was no public trust attached to those two schools, making them subject to the same obligations, or to the same Parliamentary control as that to which the other schools reported upon were liable. The first of those schools was omitted from the Bill by the Chairman of the Commission, Lord Clarendon, who introduced the Bill into the House of Lords, on the ground he had mentioned; and the second had been omitted from the Bill since it was first introduced, because the House of Lords, after hearing counsel in Committee upon it, appeared to have arrived at the same conclusion as that which Lord Clarendon had arrived at in proposing the Bill with reference to the Merchant Taylor's School. The seven public schools to which that Bill related were, according to the order of the date of their foundation—Winchester, founded in 1387; Eton, founded in 1441; Shrewsbury, founded by Edward VI.; Westminster, founded by Queen Elizabeth; and the two schools of Rugby and Harrow, founded during the reign of Queen Elizabeth, by Lawrence Sheriff and John Lyon. The last school was that of Charterhouse, founded by Thomas Sutton in the reign of James I., and in the year 1609. As this was the first time Parliament had been called upon to legislate for these schools, it was only fair to state that the proposal to legislate for them was not based upon any condemnation or censure of the way in which these schools had been managed. But it was thought, and rightly, that great improvements might be made in them if they were authorized and empowered to make such improvements. They all knew with what interest and affection these schools were regarded by those gentlemen who had been educated in them. They looked back to them and to their education with pride and gratification. He thought that the nation itself would look to these schools with equal pride and pleasure, for they were a part of our national life. They were the fruits of the wise and liberal benevolence of private individuals or Royal founders. They were, like our other institutions, the free growth of a free people, and they had left their mark on the social, moral, and intellectual character of the nation. That was not a reason why we should not deal effectually with them now. While, recognizing their great claims upon the gratitude of the nation, as well as to those educated at them, it was rather a reason why we ought not to rest satisfied with things as they are, but retaining the good which we know to be in them, it was rather a reason why we should endeavour to extend that good still further, to enlarge the sphere of their usefulness, and bearing in mind how they adapted themselves in past times to the intellectual and social requirements of the period in which they were founded, and of the times through which they have passed, it was rather a reason why we should enable them to adapt themselves still more readily, completely, and effectually to the modern requirements of the age in which we live. That being the object of the present Bill, there were only three modes in which that object would be best accomplished. First, they might adopt the recommendations of the Commissioners and incorporate them bodily into an Act of Parliament; or, secondly, they might take advantage of the information furnished by the Commissioners' Report, and embody in an Act of Parliament those particular rules which the Legislature wished to prescribe for the management of the schools or the course of the education to be given in them. The third course would be to follow the example set with regard to the Universities, and give power to the authorities of the schools in the first instance to suggest the mode in which the alterations and amendments should be made, with an Executive Commission at their back to direct and control the school authorities, and to carry into effect their views; or if the latter failed in their duty, then the Commissioners would have to do what the Legislature intended, by carrying into effect those views themselves. The first of those modes would be not only unadvisable but impracticable. The recommendations of the Commissioners were so numerous and minute that to embody them in an Act of Parliament would be almost an impossibility. They were further of such a character that as the Commissioners themselves pointed out in their Report, although the action of the Legislature might be required for many purposes, there were other purposes for which direct legislation would not be advantageous. The Commissioners divided their recommendations into five distinct heads, the fourth and fifth of which related to the management of the schools and the system of study pursued in them. With regard to the first three—the functions and constitution of the governing body, the rights of foundations, and the endowments and properties—they thought that legislation would be desirable; but that with regard to the fourth and fifth heads, as those were both matters of great public policy, they considered that they had better be entrusted to the authorities of the school to work out for themselves. With regard to the second mode of dealing with this subject—namely, to stereotype in an Act of Parliament the course of study and the system of management which would be pursued in the schools, it was clear, not only from the authority of the Commissioners themselves, but from the interesting discussions which had taken place in authorized publications of various kinds, that the difference and divergence of opinion was so great that no legislation of an extraneous character would be satisfactory until the authorities of the schools themselves had had the opportunity of considering for themselves in the first instance what was the best course and system of study for each of those particular schools. They all agreed that the two-fold purpose of education was either to discipline and train the mind as an intellectual exercise, or to furnish information and knowledge that might be useful for all the after-purposes of life. But in what way those objects were to be accomplished—which was to have precedence, if either—which was to have the predominance over the other, or whether both could not be reconciled together—these were matters on which the greatest difference of opinion had been expressed. The Commissioners were of opinion that in our public schools the classics should be the staple of the education given. They would also introduce or continue mathematics, one modern language at least, one physical or natural science at least, drawing or music, ancient and modern geography and history, and the training of the pupils in pure grammatical English. How all this could be accomplished could hardly be prescribed by any Act of Parliament, but must be left to the authorities of the schools to regulate from time to time. On the question of classical education moreover, there were some who argued in such a manner as to lead to the inference that classical education, in many instances, had better be altogether superseded. That, however, was wholly opposed to the Report of the Commissioners, who thought that classics should form the basis of education for our public schools. Then there was the greatest divergence of opinion, if classics were to be continued, whether they should not in many cases—he believed his hon. Friend the Member for Oxford would say in all cases—confine the pupils to Latin and exclude Greek. But, then, as regards poetry, history, sculpture, architecture, mental and moral philosophy, and even in science, his hon. Friend would probably be the first to admit that Greece was almost in every respect superior to Rome. Then, again, there was a great divergence of opinion as to the extent to which Latin composition should be prosecuted in those schools; one great authority says that compulsory versification in Latin was fruitless labour; while another, of equal authority, says that composition in Latin prose was not only a waste of time, but one of those things which might be classed among the curiosities of literature. Then, with regard to the sciences, one gentleman thought botany was one of the best studies for forming the mind in a scientific mould, while another maintained that it was one of the least available studies for the purposes of after-life. A gentleman of great repute also held that chymistry was one of those subjects which would most interest the minds of youth at the same time that it conveys instruction, whereas the advocate of botany objected to it on the ground that chymistry was of all others the science in which a boy might be most easily "crammed," that when crammed it was most unprofitable, but it would tone the manners and do little more. Looking at those different opinions so forcibly urged by various writers, the Government had come to the conclusion that whatever study was to be introduced, its introduction would be wisely effected only on the responsibility of those who were the governors and managers of those schools. If that position were sound, then he would contend that, coming to the third mode in which the object in view was to be accomplished, the best way to improve the management of the schools, or the terms on which their foundations were to be held, or the course of study which was to be pursued in them, was to follow the example which had been set by Parliament itself in the case of the Universities, and to regard the school authorities or their governing bodies as having imposed upon them the primary duty of prescribing how those various matters should be dealt with, and in the event of their neglecting that duty, and in that event only, throwing its discharge upon the shoulders of the Executive. That course had, in his opinion, the great recommendation that it would make the proposed reform a self-working reform, and it would, he believed, be invariably found that whatever is done willingly of our own accord, is sure to be done more wisely, and is likely to prove more lasting, than that which is done under compulsion and constraint. By this mode of proceeding very great advantage would be secured. Before, however, he endeavoured to show how far the objects which he had just sketched were provided for in the clauses of the Bill, he might observe that the Bill itself was divisible into two distinct parts — the one containing the general provisions which were applicable to all the requirements of all the schools, the other those special provisions which some schools specially required for their effective management. The House would perceive that in Clause 3 certain bodies were mentioned as the governing bodies of schools for the purposes of the Bill and for the purposes of the Bill only. He apprehended that they would not continue to be the permanent governing bodies, and that very considerable changes would have to be made in their constitution, and the power of making those changes is one of the alterations introduced into the Bill. The seven governing bodies of the seven different schools being thus introduced into the 3rd section of the Bill, they were to have the power in the first instance of making statutes and regulations for those different schools, each governing body being empowered, of course, to make them for its own. The powers to which he referred would be found in the clauses from 5 to 11. The difference between the statutes and the regulations which those powers would enable them to frame was, that while the statutes related to matters of more permanent character, the regulations related to matters of internal arrangement. The statutes were matters which would continue with probably little or no alteration; but the regulations might have to be varied from time to time and made applicable to the internal arrangements of the school, and the course of study to be pursued in them. The statutes, he might add, would have relation to the foundations, the exhibitions, the scholarships connected with the school, and to the endowments on which the students might enter any of the Universities, also to the property belonging to the school, and the disposition of any surplus property for its benefit. The clause in the Bill which related to the making of regulations was Clause 12, and the sub-section which most severely bore upon the course of studies to be pursued in the schools was numbered 7^{a} in that clause. That sub-section conferred upon the governing bodies in the first instance the power to make the regulations—

> "With respect to the introduction of new branches of study, and of the suppression of old ones, and the relative importance to be assigned to each branch of study and with respect to the system of promotion in the school."

Everything, therefore, the House would see, was left to the governing body in the first instance, and after, as he should presently show, to the Commissioners, should the governing bodies in any way neglect their duty in the framing of statutes and regulations. But with regard to the introduction of new statutes, or the suppression or alteration of old ones, or the variation of the different studies now pursued, or deciding upon the relative importance to be attached to one branch of study or another, the governing bodies would have the fullest power to make suggestions to the Executive Commission, and might, in conjunction with them, adopt or modify the propositions originally made, or the Commission, if not satisfied with those propositions, would have a subsequent opportunity of introducing something which they might deem still better for the schools, and in that case the matter would be submitted both to the Queen in Council and to Parliament. So that, in point of fact, the authority of the Queen in Council and that of Parliament might be brought into operation to secure that the alterations made were those which were really most conducive to accomplish the important objects which the framers of the Bill had in view. Such, then, were the general provisions of the Bill, and such the mode in which it was sought to carry them into effect. He came in the next place to those particular provisions which were applicable to particular schools. To Eton and Winchester certain provisions especially applied. In the case of Shrewsbury those special provisions were two. For Westminster, also, there were such provisions, as well as for Harrow and Rugby. There was, besides, a special provision for the Charterhouse, which bore on the Amendment of which the hon. and learned Member for the Tower Hamlets had given notice. One of the special provision with regard to Winchester and Eton specified that the appointment of the head-master of the lower school should be vested in the governing body of each school instead of being left in the hands of the head master of the upper school, the reason for that provision being that in those two schools the head master of the lower school had as much control over that school as the head master of the upper had over his own. Another special provision relating to Eton and Winchester was the giving of a power to deal with their property which was held on renewable leases, so as to enable those leases to be brought to a speedier termination, and to have larger funds to meet the wants of the schools provided. To such provisions no objection could, he apprehended, be raised. The special provisions having reference to Shrewsbury were of two kinds; the first gave power to sell certain curacies and livings in order that the proceeds might be applied to the purposes of the school; the second, constituting an alteration in the Bill as it came down from the House of Lords, gave power to continue the appointment of the head master of Shrewsbury in the Masters and Fellows of St. John's College, by whom it had been heretofore exercised. The reason for inserting that provision was that the trustees and governors of the school desired to keep up the connection between the school and the college, the mayor and corporation believing that that connection had been very advantageous for the school, and the burgesses also being impressed with the desirability of continuing that connection. The appointment of the last two masters, Dr. Kennedy and Dr. Butler, who had brought up so many good scholars, and had given such great satisfaction, constituted a strong reason for leaving the appointment in the hands of the Masters and Fellows of St. John's College. One special provision with regard to Westminster School was the appropriation to the governing body of a certain portion of the Chapter property, which was now with the permission of the Chapter enjoyed by the school, and was essentially wrapped up with its well-being. Another special provision with regard to Westminster School, and also with regard to Shrewsbury School, was the power given to remove the schools to other sites, but this point would be more properly adverted to when the Amendment of the hon. and learned Member for the Tower Hamlets should be proposed. The special provisions for Harrow and Rugby Schools had reference to a peculiarity in their foundations, which were especially intended for persons residing in the localities of Harrow and Rugby. Of late years, however, persons had gone to sojourn for a time in those localities, for the purpose of getting the advantage for their children of the education given at the schools, though the children who were intended to be benefited by the founders were the sons of farmers and tradesmen of small property living in the localities, and not of persons going there merely for the purpose of obtaining the benefit of the education for their children. Still it was the intention of the founders to give a distinct benefit to those localities; and as it was believed that it would be better for the schools that that peculiarity in the foundations, though qualified or altered to a considerable extent, should be preserved, a clause was inserted in the Bill enabling another school to be founded within each of the localities, where children of the small traders and farmers might be received, with the opportunity of promotion to the upper school in the event of any of them desiring instruction in the higher branches of education. The rights of the inhabitants of Harrow and Rugby had been fully discussed before a Committee of the House of Lords, and, as ample evidence had been produced upon the subject, he thought that they were now in a position to deal with it in Committee of the Whole House, and that it was not desirable they should refer the Bill to a Select Committee for that purpose. The hon. and learned Member for the Tower Hamlets (Mr. Ayrton) had given notice of a Motion specially relating to that clause in the Bill which would save rights of the Charterhouse as established by a private Act of Parliament passed last Session. The words of the hon. and learned Member's Amendment were—

"That a Select Committee be appointed to inquire into the condition of the Charterhouse and other endowed schools in the metropolis, and the best means of adapting them to the educational requirements of the metropolis."

The hon. and learned Member wishes to refer the whole question of the metropolitan schools to a Select Committee. The object of his Motion was very clearly and ably set forth in a letter which he addressed to Lord Granville in the year 1865, and which had already been laid before the House. The hon. and learned Member was anxious to obtain a different appropriation or distribution in many respects of all the metropolitan schools. He would retain some of those establishments as classical schools, while he would employ a portion of the funds in the erection or maintenance of what are sometimes called commercial schools in the East End and in other metropolitan districts. Now that proposal raised a very important question, and a question which a Select Committee was not, in his opinion, the proper tribunal to determine. It was a question of such magnitude, that if it had to be discussed at all, it ought, he thought, to be discussed by the whole House. With respect to the two metropolitan schools mentioned in the Bill—Westminster and Charterhouse Schools — the hon. and learned Member would find less reason for dealing with them in the manner he proposed than with either of the other two schools which are omitted from the Bill. According to the original foundation of the first, it was intended for instruction in Hebrew, Greek, and Latin, and therefore it was a school not for commercial education, but for classical education. With regard to the Charterhouse, the hon. and learned Member, in order to carry out his views would have to set aside the Act of Parliament passed last Session which provides that that school shall be sold to the trustees of the Merchant Taylors' School. The Act in question was calculated to produce a double advantage; it would enable the Charterhouse scholars to obtain an exchange from the town to the country, where they would enjoy purer air and a less confined space, and it would secure a playground for the scholars of the Merchant Taylors' School, which is a day school, and in which such an addition is much needed. It appears, too, that the Charterhouse was originally founded for a double object: for educating boys either for the Universities, the army and the navy, or for trade and business. The founders thus contemplated a two-fold system—a classical and a commercial education. He would further remind the hon. and learned Gentleman that it could not be said the Charterhouse was intended to be a metropolitan school on the ground that its property was derived from the metropolis; because, in point of fact, its property was drawn principally from other quarters. The Merchant Taylors' School and St. Paul's School, which were day schools and intended for the benefit of the metropolis, were not included in the present Bill. For the reasons he had stated he thought the question which the hon. and learned Gentleman the Member for the Tower Hamlets wished to raise ought to be considered and determined by the House itself; and he ventured to think that it was not one which could be properly dealt with in reference to the schools included in this Bill. He therefore hoped the hon. and learned Gentleman would not think it necessary to make his Motion on the present stage of the Bill, but would reserve himself for another opportunity when he could bring the question substantively under the consideration of the House. He did not know that it was necessary to add anything to the brief statement he had made with reference to this Bill; but there were many matters of detail that would require very grave and earnest discussion when they came to consider the Bill in Committee. He repeated that he thought the question raised by the hon. and learned Member for the Tower Hamlets ought to be decided by the House rather than be referred to a Select Committee, and with that observation he should conclude by moving that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Walpole.*)

Mr. AYRTON, who had placed the following Amendment upon the Notice Paper:—

"That a Select Committee be appointed to inquire into the condition of the Charter House and other Endowed Schools in the Metropolis, and the best means of adapting them to the educational requirements of the Metropolis"—

said, he felt very great difficulty in following the right hon. Gentleman who had made an appeal to the House in favour of this Bill because it had been introduced and backed, in his opinion, by a considerable weight of sentiment and authority. Now, there was nothing which had so much misled the public as appeals to sentiment and authority. In dealing with public schools they were asked to be guided by the sentimental feelings of gentlemen who happened to be educated in them. He could not see what they had to do with such sentimental feelings; they should deal with them having reference to those who were now in the schools, and more especially to those who should come into them in future times. Another statement offered in favour of these schools was that classical education had peculiarly contributed to the morality of the country. He, on the other hand, had always thought that during the particular period of our history, when a certain class of public men were most under the influence of classical education, society was sunk in the lowest moral pollution, and just as it had elevated itself above the influence of grammar and classical schools society had advanced in morality. When the literary world was under the severest control of classical and grammar schools education was narrow and cramped, and just as they had emancipated themselves from that state of things had literature improved. They must either go back to pre-classical times and delight in Shakespeare, or come down to the literature of the present day. The intermediate period was not one either of public or private morality to which they could look with any feeling of satisfaction whatever. They were also told that this measure was introduced with all the authority of a Royal Commission; but his complaint was that the Commission was not constituted for the very purpose of examining the question which he desired to submit to the House. It was very fairly constituted for the purpose of examining into the condition of Eton and Winchester, and other provincial public schools, but not for the purpose of considering the condition of the metropolitan public schools and their relation to the education of the inhabitants of the metropolis. Therefore, the authority of the Commission could not be quoted with reference to the consideration of the question he was desirous of examining. Then, again, it was said that, in dealing with this subject, they should have great regard to the views of the founders of these institutions. Now, he thought they had come to that time of day when they ought to take their stand in relation to this question on the firmly and distinctly expressed opinion of all the jurists who were respected throughout Europe, that no man could have a right to regulate to all eternity the enjoyment of property he happened to be possessed of in his lifetime. That was a principle recognized in our jurisprudence, and uniformly acted upon in the law of all civilized communities. The man who gave property to any purpose of charity bequeathed it absolutely to the nation, and it was for the nation, in the exercise of its own pleasure, to consider how far it was convenient for the public good to respect any views he might have entertained. Of course, Courts of Justice, in the administration of the law, acted within a more limited sphere, and looked at the intentions of the founder simply because they had nothing else to look to; but when they came to that House he utterly denied that they were at all bound to consider that any founder—a man living any given number of centuries ago—entertained some particular opinion. Whenever the interests of the public, from any change which had taken place in society, rendered a new appropriation of property necessary, Parliament had the moral and legal right to take that property into its own hands and dispose of it as it thought proper. Even with regard to the Charterhouse, it had been in the main established by Act of Parliament, and if it was competent for Parliament to act, then had they no right to consider what was best to be done now? After all, what was the value of what Mr. Sutton thought? The right hon. Gentleman had passed very lightly over the other public schools, which he said were not in the Bill, and it was not fitting that they should be considered on the present occasion. But his objection was that they were not in the Bill. If the right hon. Gentleman was dealing with the public schools, they ought all to be in his Bill. The real point of contention was whether they should deal with all the public schools in the metropolis as if they were entirely separate institutions like Winchester and Rugby, or as a group of schools, to be considered in relation to each other and the general wants of the whole city. Without extensive alterations of its provisions this Bill could not be adapted to meet the circumstances of the metropolis. Indeed, as it stood, it would not work at all. He put it to the Government whether it was right to pass by, in the manner the Bill did, a question which affected the education of the 20,000, 30,000, or perhaps 50,000 families occupying houses of £20 per annum and upwards in the metropolis. If an endeavour were made to estimate the number of persons interested in the provisions of this Bill it would be found that their claims to the consideration he was demanding were overwhelming. Perhaps it was not very easy to estimate the exact number in the metropolis who would be affected by the provisions of the measure now introduced; but very little calculation was requisite to show that about one-third of the total number who were interested in and would take advantage of the higher schools were resident in the metropolis—a circumstance that strongly went to show the necessity of some such action as he was advocating being adopted. Moreover, not only the number to be educated, but the importance of means being adopted for giving a right tone and direction to a system of education which was in reality the centre of our social and political system, demanded that some such course as he was pressing upon the attention of the Government should be adopted. It was quite evident that whatever was well done in the metropolis must have an influence either directly or indirectly upon all the other towns in the kingdom. For these reasons he thought all must admit that the question was one worthy of the gravest consideration, and that it ought not to be slurred over, as there was a danger of its being, by the scheme of the Ministry. He would show in a few words how important the practical bearing of this question was upon the interests of the community. There were very large educational endowments in the metropolis, which, if properly regulated, might be of great service, although, relatively to the number of its population, perhaps no place had a less amount of endowments devoted to educational purposes. These large endowments were in the hands of two or three schools. When the right hon. Gentleman, in moving the second reading of this Bill, asked them to take into consideration the authority and the character of the governors of these bodies, the House of Commons was entitled to inquire what had these governors been doing all this time with these great endowments? The answer to that inquiry was a simple one. The House had found it necessary to appoint a Commission to find out the misdoings of these governors, and then the right hon. Gentleman was obliged to introduce a Bill to compel them to do what was right, and yet the right hon. Gentleman believed himself to be in a position to say that these people were so intelligent and so active in the discharge of their duty that the best thing Parliament could do was to leave in their hands the sole power of dealing with these institutions. The governors had really not done what they might and ought to have done in the administration of the funds committed to their care. It was lamentable to reflect how large were the sums at their disposal, and how infinitesimal were the results achieved. Taking the Governors of the Charterhouse, for instance, what had that body done to improve either scientific, classical, or any other description of education? Why, absolutely nothing! They possessed an enormous revenue, amounting to upwards of £11,000 per annum, with which they profess to teach Latin and Greek to some forty boys free, to some forty odd who pay a large sum for their education, and to a still smaller number of day scholars. Was that an adequate result for an annual expenditure of £11,000? The pupils in the institution were selected, not in consequence of their showing any peculiar aptitude for learning, or on the ground of their poverty, but at the caprice of the governors, who bestowed their patronage at their mere will and pleasure. The pupils were not selected by competition, because that would interfere with the patronage of the governors. It was true that there were competitions among the scholars for the scholarships at the University, but what was the use of competition where there were no persons to compete. The competition was confined to a few of the first-class boys, and the result was, that scholars of very moderate attainments were sent to the University at the expense of a public endowment, a practice which was contrary to the whole policy of the Universities, which required that all scholarships, instead of depending upon mere accident, should be thrown open to competition. He did not see how it could be maintained for a moment that such a course was likely to lead to a high scale of education or to any useful public object. He would then refer to Westminster School, and what was the case there? No doubt the system adopted at this school was superior to that in force at the Charterhouse, and the results attained were most creditable to the Dean and Chapter; but still the area of selection was exceedingly small, and the benefits of the school were not sufficiently diffused. It was said that there was a sentiment in retaining the school at Westminster, so that the boys might be educated near the dormitories of the old monks of Westminster; but, for his part, he could not see much sentiment in the matter, nor how boys were likely to be made more moral by being educated near the dormitories of a number of lazy monks of a character so bad that they were universally condemned and driven out of their place, which was stated to be rendered almost uninhabitable by their course of life. He was anxious that the usefulness of Westminster School should be extended, that it should be made to answer fully the great purpose for which it was founded, and that, instead of being turned into a mere menagerie of boys, it should be rendered available for the education of a considerable number of day scholars to be selected from among many thousand boys who resided in its neighbourhood. It would be a melancholy thing if the House were to pass a Bill which would stereotype permanently education at Westminster in its present form. It would be far better for them to give the inhabitants of Westminster the benefit of the resources of the school, and afford education for some 4,000 or 5,000 children, instead of keeping up, as was now practically the case, a mere boarding school for the advantage of a few. Instead of adhering to a state of things that was suitable enough 300 years ago, they should rather strive to adapt such institutions as those he was referring to to the requirements of the present day, and the present necessities of society. The next metropolitan school to which he had to refer was St. Paul's School—the governors of which possessed a revenue of about £11,000. That school was originally founded for the education of 150 boys, at a time when its endowments were comparatively small. The boys were to receive a free education as day scholars, and were to enter it by competition. Competition, however, had been altogether thrown aside, and the boys were nominated at the discretion of the governing body, and the result was that boys who were not properly qualified got into the school. That was a large foundation of £11,000 a year, and it was quite clear that if the money were properly applied to education in the metropolis, 1,000 boys instead of 150, might be educated through its instrumentality. The right hon. Gentleman had said that Parliament would have to leave St. Paul's untouched because it belonged to an influential City company, who might set up claims of its own. Now, he never knew any City company that was not willing to set up claims of its own, and the City Companies were always fond of perverting the charities which came under their control until they were afflicted with a scourge in the shape of the late Mr. Daniel Whittle Harvey, who, by filing bills against them, brought them, in many instances, to a sense of their misconduct. If they might believe the evidence of the Report, the claims made by these bodies afforded no grounds for withdrawing these great foundations from the control of Parliament. St. Paul's School ought, therefore, to be included in the Bill. The Merchant Taylors' School, he admitted, contrasted very favourably with the other foundations to which he had referred. The Merchant Taylors' School was, to a certain extent, a day school, and therefore did not present—what to his mind was extremely painful—the spectacle of masters, whose thoughts should properly be concentrated upon study and learning, developing into a kind of licensed victuallers, deriving their emoluments from feeding instead of teaching the children. It was perfectly natural for a master whose income was derived more from feeding than from instructing the children to follow the example of the licensed victualler, and to bestow his chief attention upon the former branch of his duties. It would be infinitely better that these gentlemen should be the masters of day schools, having nothing whatever to do with eating and drinking, than that they should be continually engaged in this kind of mixed professional business. The Merchant Taylors' School was an illustration of the soundness of the principle for which he contended, because it educated 250 boys, while the public endowments by which it attained this result did not exceed £2,000. He had called them public endowments, though the Merchant Taylors' Company contended that the school was their property, and that it was not supported by public endowments. He objected, however, to any such claim being admitted without challenge or examination. Looking at all the facts, he thought it could not be doubted that the Merchant Taylors' School was the property of the public, and the Merchant Taylors' Company could not establish any claim in opposition to this title. Parliament surely had a perfect right to control the action of the governing body of a municipal company if that governing body endeavoured to defeat the legitimate demands of the public. If the school were the private property of an individual who had expended upon it his own money, the case would of course be very different ; but no such argument could be employed by the Merchant Taylors' Company. That company was simply a public body, established for municipal purposes; and Parliament had a perfect right to put its legislative power into force for the purpose of securing to the public the benefits to which they were entitled —a result which, in this instance, might be attained with very little alteration. It was the duty of the House, now that they were dealing with a portion of this subject, to grapple with the whole question, and not to say that this was not the right time for bringing it forward. He could not help thinking that no time was so appropriate for making this examination as a time when it was proposed to legislate even in one direction. He was not going to ask the House to adopt either his own theories or those of any one else. He simply desired that the House should not shut its eyes to what was growing up in this country, and say that because a certain system had been in vogue for 300 years, therefore it should remain unaltered. Whatever might be the opinion of hon. Gentlemen whose minds were filled with an infinite reverence for the ancient Universities, there could be no doubt that there was gradually spreading throughout the country an opinion that there was another kind of education which, if not better, was at least as good as that which was taught in the grammar schools. It was, he maintained, the duty of Parliament to give to that opinion the weight to which, upon consideration, it might be found to be fairly entitled. He was not there for the purpose of attacking the ancient system, but when they were told that they could not have any new system adopted because there was a diversity of opinion about it, he thought he was fairly entitled to ask the right hon. Gentleman what was the concurrence of opinion about the ancient system. Were there no differences of theory about the teaching of Latin and Greek? Why, instruction in Latin grammar had been carried on for more than 300 years, and yet it was only the other day that half-a-dozen schoolmasters throughout the country could be found to agree upon the adoption of any particular grammar. The differences in the mode of teaching the Latin language were just as great, and while by some one particular method was rejected as being too difficult, by others it was contended that the method advocated by their opponents was far too easy, and did not in its study afford that training to the mind which it was absolutely necessary for the pupil to acquire. Where, then, was the force of contending that a scientific education could not properly be established, owing to the diversity of opinion regarding science? The argument had just as little force in the one case as in the other. The right hon. Gentleman who moved the second reading of the Bill spoke, according to his understanding, disparagingly of a scientific education, as if it were a purely commercial and not a learned education, meaning evidently to degrade it by the comparison. [MR. WALPOLE: No, no! I had no intention of doing so.] He was glad to learn that he had misinterpreted the right hon. Gentleman. At all events, no valid reason could be urged against a scientific education on the score of diversity of opinion with respect to what should be taught. There was equal diversity as to the teaching of languages, and the various systems had not only warm advocates, but were carried out so as to produce different results upon the mind. He hoped that the House would show a disposition to accept that which was not only the opinion of the many, but which was the increasing opinion of the community, and which, in the end, he was convinced that the House would be forced to accept. There was no better way of approaching the task than by appropriating endowments to such an extent as they had increased in value, merely by reason of the growth of wealth and the increase of population in the metropolis. The endowment of St. Paul's School had materially increased from these accidental causes. Its property was situated in the East End of London, where population had greatly increased since the school was endowed. The £6,000 or £8,000 a year which the Charterhouse possessed, had accumulated from the same causes, and it was the same with regard to the revenues of the Dean and Chapter of Westminster. To these and other similar endowments he looked as the legitimate fund from which to minister to the increasing wants of society, because they had been created by the growth of society. He therefore asked the Government to meet the question in a fair and liberal spirit by taking the metropolitan schools out of the Bill, and leaving them to be dealt with as a whole. If the Government would not do this, he asked them to put all the metropolitan schools into the Bill, and refer it to a Select Committee. His only objection to this legislation was that it did not go far enough. He would not press the Motion he had put on the Paper, because the effect would be to isolate the metropolis from the operation of the Bill; he had merely placed it there as an appeal to the Government, and he hoped the result would prove he had not appealed in vain. Some seemed to be under the impression that the Bill had been left a legacy to the present Government by their predecessors; but, as a matter of fact, the Bill had been brought in by the Chairman of the Commission on Public Schools as such. It was carrying the notion of solidarity too far to say that because the Chairman of that Commission happened to join the late Government before he brought in his Bill, the whole of his then Colleagues were to be held responsible for it. He hoped the Government would send the Bill to a Select Committee upstairs, where it might be examined in detail, and justice might be done to the children of the inhabitants of the metropolis who stood in greatest need.

SIR HARRY VERNEY stated that the people of Harrow and Rugby believed that great injustice would be done to their poorer townsmen if the Bill passed as it was framed. At Harrow the first, second, and third forms had been done away with during the past fifty years by raising the standard of examination of those who entered the schools so high that none but those who could afford an expensive preliminary education could get their sons admitted, and in that way great injustice was done to the sons of tradesmen and other inhabitants of Harrow. A similar complaint was made with respect to Rugby, and he did not think the remedy in those cases should be left to a Commission. Then there were not nearly masters enough, and the paucity in number enabled those who at present held the position to divide large profits among themselves. Some feared ill effects would result from the commingling of classes in a public school. He had no such fears; the better classes would certainly not be lowered, and the result might prove highly beneficial to the poorer boys. He hoped the right hon. Gentleman would introduce some clauses to secure an education for the poorer inhabitants of Harrow, whom John Lyon, the founder of the school, had originally intended to educate, and not leave so vital a matter in the hands of the Commissioners.

MR. GLADSTONE: I think it but just, Sir, to make a remark upon one observation which fell from my hon. and learned Friend the Member for the Tower Hamlets, towards the close of his speech, where, doubtless out of a sentiment of kindness towards Members of the late Government, he expressed an opinion that they were not bound by the Act of Lord Clarendon in the introduction of his Bill. It is only just to Lord Clarendon and others that I should state frankly that Lord Clarendon did not introduce that Bill simply in his individual capacity, but did introduce it with the distinct approval of the Cabinets of Lord Palmerston and Lord Russell; and, therefore, undoubtedly we must be considered as responsible for the introduction in the main outline and purport of the recommendations of the Committee, to whom we are deeply indebted for its labours and for the general character of this Bill. I do not feel that in saying that I necessarily place myself in opposition to my hon. and learned Friend; because I confess I am not sorry that my hon. and learned Friend has applied himself with great interest, vigour, and ability to the consideration of the important question of the claim which the metropolis, considered as a local though vast community, has to the disposal of these school funds. It is not necessary to follow my hon. and learned Friend through the course of his observations, because, as far as his general doctrines are concerned with regard to the right and duty of the State to examine into and revise and extend and enlarge those foundations, and as far as regards his strong opinion that we are not to look upon the intentions of founders, formed under the circumstances of the time, as laws which are to remain free from any interference on the part of the authorities, I find myself in great concurrence with him, and I would sympathize with him in his desire to give effect to the principle he laid down—namely, that some attempt should be made to obtain a comprehensive view of the schools of the metropolis as a whole, and to apply the resources of those schools, with a fair and just reference to the wants and necessities of the metropolis. But then comes the question, what are the schools to which the principles he laid down will properly apply? And it appears to me that doubt and difficulty arise when we come to consider that part of my hon. and learned Friend's proceedings which relates to his interposing his Motion as an obstacle to the progress of this Bill. This is a Bill of very great value. It brings into existence new powers, which will be in a condition to act with great effect, both upon the constitution of these schools and upon their studies. The general effect of the Bill is very much like that of the Oxford Act, and undoubtedly the Commission, though it may not have been able to undertake all that was desirable, has proved an instrument of very great power for the purpose of introducing practical improvement. If Parliament approves of the general scope of the provisions of this Bill, it would be a very great mistake, after the laborious investigation which this subject has undergone, extending over several years, if we should send the Bill to be re-investigated in its general bearings before a Select Committee, simply on account of the question, important though it be, which my hon. and learned Friend has raised with respect to the metropolis. I am not quite certain what are the schools that would be embraced within the scope of my hon. and learned Friend's Motion. I heard him speak of several. [Mr. AYRTON: Four.] Exactly so; but it appears to me that on the one hand it includes too much, and on the other too little. I hope my hon. and learned Friend will not shrink from recognizing the breadth of his own proposition, but will take into his view the whole of the endowed schools of the metropolis downwards as well as upwards. The hon. and learned Member spoke of the Charterhouse, the Merchant Taylors', St. Paul's, and Westminster; but I apprehend that the whole of the revenues of those schools, which were considered as so vast, perhaps do not exceed—and I am not sure that they even equal—the revenues of one endowed school which he did not mention at all—namely, Christ's Hospital. It appears to me that there is nothing which requires more to be considered in the whole of this question, so far as the metropolis is concerned, than the condition of Christ's Hospital. I have, sitting near, Members of a Commission which has inquired into this very subject, the Report of which is likely to be in the hands of Members very shortly. If we are to have a consideration of this great question, if the special interest of the metropolis in the schools that are all certainly situated within its limits is to be considered, I hope the hon. and learned Gentleman will not exclude Christ's Hospital, the largest of all the endowed schools, and others of considerable revenue and importance. But it appears to me on the whole proposition, that the legitimate method in which the hon. and learned Gentleman should proceed would be, not to interpose any obstacle to the progress of this Bill, but to allow us to read it a second time, and carry it into Committee, and then, when we come to the discussion of that part which includes within the operation of the Bill any schools that he thinks ought to be dealt with upon a different principle, then I think would be the time for him to raise the question whether that school should be excluded from the operation of the Bill, in order that it may be dealt with, not as a public school, in the strict and understood sense which is one applicable to the whole of them, but rather in the sense of a local school connected with the metropolis. The only two schools in the Bill to which the Motion would directly apply are the Charterhouse and Westminster. With regard to Westminster, I will not anticipate a discussion which I think will come with more propriety at a later period; but with respect to the Charterhouse, I by no means express the opinion that the constitution and the views of the governing body do not require to be examined, and what is called overhauled; but as regards the question whether it is a local school of the metropolis or a public school, that was considered and decided by Parliament last year. The Governors of the Charterhouse had come to the conclusion that the site on which the school was placed was one exceedingly unfavourable to the development of the purposes of the school, and they determined to sell it to another body, and to purchase a site removed from the metropolis to which they could transfer the school, if they could obtain the sanction of Parliament for the purpose. The question was brought before Parliament, and they obtained the powers they wanted. But if Parliament in 1867 had given to the Charterhouse the distinct recognition of its character as a public school, which was implied in permitting and empowering it to remove itself bodily from the metropolis altogether, I do not quite see how it would be possible for my hon. and learned Friend to bring the Charterhouse within the view of his Motion as a local school. I hope my hon. and learned Friend will accede to the suggestion I have made, because it would be a great misfortune if he were to introduce the application of his principle in such a form that it should prove an obstacle to going forward now that at last we have an opportunity of going forward with a Bill which, I believe, has been conceived and framed in a very enlightened spirit, and which promises great advantages to establishments of immense importance.

MR. NEATE said, he regretted that his hon. and learned Friend had not put his Motion in a more definite shape, for he believed this to be one of the most delusive and reactionary measures ever put before the country. It was an anti-popular inheritance bequeathed by the late Government, and he recommended the present Ministers to take the earliest opportunity of disclaiming the legacy. Through the fault not of the schools themselves, but chiefly owing to the change of manners which had taken place in modern times, causing Latin to be regarded as a luxury, and not as an essential part of commercial education, these great schools of the country had passed into the hands of a class totally different from the classes for whom they were originally founded. At Eton, for instance, the qualifications for admission were poverty, in the first instance, then aptitude for study, good character, and competence in reading and grammar. At Winchester, which was a still older foundation, even the sons of serfs were admitted. Those who had looked into the subject knew that 300 or 400 years ago the son of the great nobleman of the district sat on the same bench with the son of the farmer or grocer of the neighbourhood, and continued there till he was fifteen or sixteen years of age. After that the son of the nobleman either went back to his father's house, where the continuance of his education was intrusted to a private tutor, or else he was taken into the house of some great man, like Cardinal Wolsey, where provision was made for the education of the sons of the nobles. What was the case in the present day? Advertisements constantly appeared—not from the public schools, it was true, but from private foundations little less opulent —winding up with this announcement—"None but the sons of gentlemen admitted." A respectable wine merchant told him that he had applied to have his son admitted into one of these modern colleges and was told, "We don't take the sons of wine merchants." It was too late to bring the sons of the wealthy and great again under the same roof for the purpose of education with the sons of farmers and tradesmen; but it was not too late to take back from those funds which were originally intended chiefly for the benefit of the sons of the farmer and tradesman some part of that which was now exclusively appropriated to the benefit of the rich. Provision had been made for the education of the upper class, but the middle class had been cruelly wronged, and this was the time to consider whether obligations could not be imposed upon the public schools to repay to the middle class something of what had been improperly withheld from them in the past. In Committee he would urge that care should be taken, more especially in connection with the opulent schools of Eton and Winchester, to found middle-class schools subject to the same government. The income of Eton, which was returned in 1860—and such returns were never above the amount —as between £20,000 and £21,000, would ere long, when the leases were run out, amount to between £35,000 and £40,000, besides forty livings whose joint income was returned at £10,000. The income of the provost—and he did not say it was too dear—was £876 a year, and of course there was a house and other advantages; and each of the seven fellows had £850 a year, and they held, together with their fellowships, some of the best livings. The income of Winchester School, when the leases ran out, would be £32,000 or £33,000 a year, and it had a warden and fellows who did very little work; and the income was chiefly of use as affording retiring pensions to those who had done the real work of the college and schools. He wished to insist upon having in connection with both a school for the class for whose benefit mainly the incomes were originally designed; and the Bill made no provision for securing that object. Indeed, the tendency was in another direction, for it gave power to make regulations which would still further prejudice the foundation boys. We were waiting for the

Report of a Commission which would raise questions as to our means and obligations in the matter of middle-class education. This in itself would be a sufficient reason for deferring the progress of the Bill until they had an opportunity of considering the Report. Again, the use of classics was still an unsettled question, especially at Oxford, and the recently published work, *Essays on a Liberal Education*, showed that great progress had been made on the part of those who were concerned in the business of education, a fact of which the framers of the Bill seemed to be wholly unconscious. Recently he (Mr. Neate) attended a meeting at Oxford of some eighty or ninety of those actively engaged in education, and certainly not revolutionists, and he was in a minority of two or three in opposing the idea that it was time to open the University to persons who knew neither Latin nor Greek. He himself thought that a revolutionary proposal, and denounced it as such, but certainly it was adopted by those who were not revolutionary men. He had long come to the conclusion that the gentlemen of England should be absolved from the necessity of learning Greek, for the result of the present system, in the majority of cases, was that gentlemen spent ten or twelve years in learning Latin and Greek, and nothing else, and knew less of those languages than their sisters acquired of French and Italian in two years. It was beginning to be generally thought at Oxford that the studies at our schools and Universities required re-consideration. The Commission had not embraced any advocate of these new ideas, and he suggested that a vacancy, caused by a death which all would regret, should be filled up by some one of advanced views, say the right hon. Member for Calne. If the Bill was to go on, it was desirable to have that sort of Commission which would have the knowledge and the disposition to avail itself of new lights; and clauses ought to be introduced into the Bill giving the Commissioners powers in that direction.

Mr. BENTINCK said, that the hon. and learned Member for the Tower Hamlets had insisted upon some common points, and some of which had reference to Westminster School. But first, as regarded the site of the school, he must inform the hon. and learned Member that a meeting was held some time ago in Westminster School to consider whether the site should be removed, and the majority of the meeting came to the conclusion that it had better be removed, and no doubt it would have been removed into the country if sufficient funds could have been obtained for the purpose. The hon. and learned Gentleman had said that the foundation boys slept in a dormitory formerly occupied by a set of drunken and rebellious monks, but the fact was that the dormitory of the monks had long ago disappeared, and the present dormitory was built by Lord Burlington. He thought, however, that the hon. and learned Member had done good service by bringing the subject under the consideration of the House, because the discussion had served to show that the provisions of the Bill ought not to be hastily acted upon. Now, as regarded the case of Westminster School, he believed that the majority of the parents who had boys there would rather that their children should remain under the instruction of their master than reside in their own houses. The hon. and learned Gentleman said that the system of competition was adopted by the Dean and Chapter; but it was nothing of the kind, for competition was established by the original statutes of Queen Elizabeth. His right hon. Friend who moved the second reading of the Bill referred in detail to the schools therein named, and among others he described the provisions under which Westminster School would be ranged. He was bound to say he thought those provisions very insufficient, because there was no guarantee that the income which the school ought to acquire under the statutes of the Church would be obtained from the Ecclesiastical Commissioners. The school was in this unfortunate position, that like other grammar schools attached to cathedrals of the new foundation, the educational trust funds were gradually absorbed by the Dean and Chapter, who preferred to fill their own pockets rather than to promote the interest of the schools. When the Bill of 1840 passed the Ecclesiastical Commissioners stepped in, and all the profits of the suspended stalls, instead of being applied to educational trusts, were put into the hands of the Commissioners, and made part of the common fund. Now one of their first duties was to bring back such portions of the fund, and apply them strictly to educational purposes according to the statutes. It was perfectly clear that the boys on the foundation ought not to be taxed to pay for masters for whom the statutes provided out of the educational fund. He hoped the hon. and learned Member for the Tower Hamlets would take the advice tendered to him by the right hon. Member for South Lancashire and not press his Motion; though, if he did press it, he (Mr. Bentinck) would be obliged to vote with him. When the clauses were considered one by one there would be ample opportunity to bring forward this matter; and he himself should be prepared with Amendments to raise the points on which he had made these few remarks.

VISCOUNT ENFIELD said, he would take that opportunity of stating that in Committee he would ask the House to agree to certain Amendments with respect to Harrow, which would preserve to the people the rights they had enjoyed for nearly 300 years under the provisions of the will of John Lyons. The tendency of public schools was to increase the expense of education, and to draw a line which would limit their advantages to the sons of the rich; and he, as a public schoolsman, saw that tendency with regret. Feeling strongly on the point, he would at the proper time move an Amendment which would secure the rights of the people of Harrow. The hon. and learned Member for Oxford (Mr. Neate) had alluded to the lamented death of Sir Edmund Head, one of the Commissioners. He ventured to endorse what had been said on that subject, and he would express a hope that the right hon. Gentleman would put in Sir Edmund Head's place a distinguished man of science, who might secure the respect and confidence of the public.

MR. DARBY GRIFFITH said, he regretted that no discussion had taken place as to what was really the merits of the question, the curriculum of education that should be adopted in the higher class of public schools. He wished to know—and it would be interesting to the public also—what were the ultimate intentions of the House with regard to these great establishments? Were they to disregard the manifestations of public opinion, and to allow the present opportunity to pass without taking some decisive steps? By the present Bill it was proposed simply to change the government of the schools, by placing it in the hands of Commissioners; but such Commissioners as the Archbishop of Canterbury would not be likely to concern themselves much as to the regulations of the schools. He (Mr. Darby Griffith) thought that the great body of those interested in the schools, that is to say, the parents and guardians of the boys should have some means afforded to express their opinion upon the matter. The Commission to be appointed would be very much above its work, and there were no means of knowing what precise changes it would effect. Public opinion had been strongly expressed as to the modification of certain branches of education; but no response was made to that in this Bill. John Milton, and many others of the most enlightened men, had condemned the system under which boys scraped together some Latin and Greek during a period of seven or eight years, which, if properly instructed, they might be taught in one, and were called upon to string some stupid Latin verses together which to be done really well required a more advanced stage of the powers of the intellect. This system was rather an impediment than otherwise to the practical education of our youth, when no necessity existed for composition in any of the dead languages. The only use to which a dead language could be put was to read the author's book in such language. They could not, as in the time of Milton, write despatches to foreign Courts in that language. He was, however, the last person to deprecate the knowledge of the dead languages, believing that it was the foundation of all superior education and was essential to a thorough understanding of our own language. But if we had to make a choice between the study of them and that of the modern sources of information, he should be unwilling to determine which ought to be given up. If their youth were, however, to learn Latin and Greek, they should be taught the knowledge of them in the easiest and simplest way possible. Before the House gave large powers to the governing bodies of those schools they ought to know how they proposed to exercise them, under what influences they would act, and whether in harmony with public opinion.

SIR STAFFORD NORTHCOTE rejoiced to find that the House had arrived at the conclusion of making progress with the Bill, and of reading it a second time, instead of referring it to a Select Committee. He felt grateful to his hon. and learned Friend opposite for the course he had taken in deferring to the wish of those who were anxious to make progress on the question, and agreeing to bring forward the views which he had advocated with such ability in a discussion upon the Bill, when the House might be able to entertain them in a manner much more useful and practicable than on the present occasion. What the Government were afraid of, in regard to this Bill, was, that if it were to be much examined upon one particular point of view or another the measure would never make any progress. It was now six or seven years since the Commission was appointed to examine into the system of public schools, to which reference had been made, and it was just four years since they presented their Report. Since that Report was presented a Bill founded upon it had been introduced every year into either one or the other House of Parliament. Upon one occasion a Select Committee had been appointed by the House of Lords, before which a great deal of evidence was taken and counsel heard, and the subject had been fully considered from that point of view especially which had been touched upon by the noble Lord the Member for Middlesex (Viscount Enfield) and other hon. Gentlemen. They had now come to that point at which it was desirable, if anything could be done in the matter, to make a move onwards. He was afraid that if they referred the Bill to a Select Committee they would simply be losing another year. And, after all, what was a Select Committee to do with the subject? If it were to hear evidence on the subject and go into the whole question, of course the inquiry would go through the whole Session. He very much doubted whether the deliberations of any Select Committee would prevail over all that had been done by preceding inquiries. On the other hand, if the Select Committee were not to take evidence, but only to confine themselves to the evidence already taken, that would be tantamount to the discussion of the question of principle, upon which the House was as capable of forming an opinion as any Committee, and as to which they could not bind the House. Referring to the discussion which had just taken place, he was really very much surprised at the tone taken in regard to the meaning and tenor of this Bill. A stranger coming into the House, and not knowing the nature of the Report made by the Public Schools Commission, would think that the proposal was one of a reactionary and narrow-minded character. On the contrary, though some of their recommendations might not go so far as some thought they should go, he put it to anyone who had read that Report whether the whole tenor and spirit of it were not in a progressive direction, and especially in reference to what had been said that night? He was glad that the hon. and learned Gentleman opposite had challenged the expression of his (Sir Stafford Northcote's) right hon. Friend as to commercial education. He agreed with him in the propriety of attaching the greatest importance to scientific education — not for its commercial value, but for its own sake. The whole spirit of the Report was to give due prominence to scientific education from that point of view. He especially called attention to that most able portion of the Report — although it appeared in the form of a dissent from it — of their Colleague, Mr. Vaughan, in which he put forward the claims of science as the basis of education in a manner which excited their admiration, and only led them to regret that his views were not incorporated with the Report. The Commissioners were anxious to improve as far as possible the higher education of the country. The point he thought they had to consider was not so much how the education of the inhabitants of a particular locality or of a particular class could be best provided for, but, assuming it was desirable that the highest education of the country should be to a great extent of a classical character, but at the same time that it should also embrace other fields of learning, they considered how far and in what way those schools charged with imparting that education could be best organized and be brought into harmony one with another. The Commissioners said that if they improved the higher education, and did it in schools which were well organized, and opened those schools at proper times for those who might wish to avail themselves of them, they would indirectly—though it was not their main object — supply the wants of a particular locality and of a particular class. They did not deal with endowments as if they had been given for the benefit of particular inhabitants, such as those of London, Harrow, or Rugby, because they saw that the state of things and circumstances had very much changed since those endowments were first given. They believed that the main object of those who made those endowments was to improve the education of the people of the country, though no doubt the special desire of some persons was to improve the education of their particular neighbourhood or the education of the poor or of some particular class. But they must remember that the state of the country and the means of communication between one place and another were very different now to what they were when those endowments were made. The number of schools was also much smaller than it was present. The Commissioners thought that the founders, if they were living now, would act very differently in effecting their object than they had done when they made those endowments. And when they made the proposal with regard to Harrow School they had to take into account the fact that the inhabitants of Harrow had now the benefit not only of their own school, but of the schools established in the different parts of England, to which it was comparatively easy for them to send their boys. That argument applied with still greater force to the schools of the metropolis. It was open to the inhabitants of the metropolis, not only to educate their boys at Westminster, the Charterhouse, or the other schools established here, but to send them to Harrow, Rugby, Shrewsbury, Winchester, or any of the other schools scattered throughout the kingdom. And that was a compensation to them for any exclusive advantage they might lose by the transfer of any of their own schools to a greater distance. They also came to the conclusion, from the examination of the schools in which this education was given, that the boys could be best educated, on the whole, at boarding schools. They therefore thought it desirable that there should be an adequate number of boarding schools, which would be just of as much importance to the people of London as to the inhabitants of any particular town. But they also came to the conclusion that if they were to have those boarding schools, it was desirable that they should be, as far as possible, in the country—not at any great distance from the metropolis—but in situations where the boys would have the advantage of good playgrounds and country air. They considered that if a certain number of schools were removed out of the metropolis to the country, those schools would be more useful even to the people of the metropolis themselves than they would be if they were allowed to remain. Looking, then, to the four schools under their immediate view—namely, Westminster, the Charterhouse, Merchant Taylors', and St. Paul's, they thought it was desirable they should have both boarding schools and day schools available to the inhabitants of the metropolis. By removing Westminster and the Charterhouse Schools to a reasonable distance from the metropolis, and by greatly improving the position of the day schools in the metropolis, they felt that they would be doing the best for the metropolis itself. He had merely referred to these points, rather than have entered into any discussion of them, in order that the hon. and learned Gentleman the Member for the Tower Hamlets might know that they had not been overlooked in the consideration of this subject. The conclusions arrived at might, or might not, be right; but he should be able to defend the views put forward when the proper time arrived. With regard to the point raised by the hon. and learned Member for Oxford, they had not overlooked the claims of persons of moderate means; but, looking to the circumstances of the country at the present time, and considering the advantages of these schools if thrown open to competition, the great object they had had in view was to throw them open to competition among those who would endeavour to qualify for them. With regard to the Charterhouse, it was desired that it should as far as possible be thrown open to competition. He certainly felt the force of the interesting speech that had been delivered upon the subject by the hon. and learned Member for the Tower Hamlets, and he agreed with much he had said; and he thought the Government were much indebted to him for his having confined himself to stating his views upon the subject, and in not delaying the progress of the Bill. He might say that the suggestion of the right hon. Gentleman the Member for South Lancashire, that this question should be discussed in Committee, would be accepted, and he had no doubt that when the Bill was committed notice would be given of some practical Amendments which might be discussed with great advantage.

MR. AYRTON wished to know whether the Government would undertake to defer the further progress of the Bill until the Report on grammar and endowed schools, to which so much care had been devoted, had been presented?

MR. WALPOLE was unable to say when the Report would be in the hands of

Members, but he would undertake that it should be very shortly laid upon the table. He would fix the Committee for Thursday, the 27th February, and between this and then he would inform the hon. and learned Member whether he would proceed with the Committee before that Report was presented. It was very desirable they should have the Report, if possible, before going into Committee on the Bill.

Motion *agreed to*.

Bill read a second time, and *committed* for *Thursday*, 27th February.

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

LEAVE. FIRST READING.

THE EARL OF MAYO, on rising to move for leave to bring in a Bill to renew for a limited period the Habeas Corpus Suspension (Ireland) Act, said, The Act which passed this House in the month of May last for the suspension of the Habeas Corpus Act in Ireland expires on the first day of next month, and anybody who has watched events during the last six months cannot be surprised that the Government should feel it their duty to ask Parliament to continue for a limited period those extraordinary powers which on three different occasions it has felt it necessary to confide to the present Government. I am sure the House will agree with me when I say that a more irksome duty than that which I am called upon to perform to-night can hardly fall to the lot of any Minister; but so deep is my conviction and that of my Colleagues of the necessity of the measure which I am about to propose that we feel we should be guilty of betraying our duty and deserting our post if we did not express to the House our conviction that it is absolutely essential for the peace of the sister country, and for the continuance of the endeavours made by the late and the present Government to frustrate and destroy the efforts of the Fenian conspiracy, that Parliament should grant a renewal of the powers with which we are at present invested. It is for this reason we feel it our duty to ask the House to continue the existing Act. So far as Ireland is concerned the efforts of this Fenian conspiracy, which has existed for four long years, appear to be greatly paralyzed, the leaders of the movement seem to have transferred their more active exertions to this side of the water; and the people of this country have within the last few months been astonished to find that in some of the great centres of our population there exists an active conspiracy, whose avowed object is the promotion of rebellion in Ireland, and the severance of that country from the Crown and Government of Great Britain. There is no doubt that this conspiracy, carried on with great skill and secresy, has existed amongst us for a considerable time; and its course, so far as England is concerned, has been marked by the commission of crimes which are happily unparalleled in the history of this country. I believe that by the occurrences which have taken place on this side of the Channel the true character of the movement has been made manifest. At all events they have shown the recklessness and daring of the leaders and the lengths to which they will go for the purpose of carrying out their designs. Though the movement in Ireland has happily not been characterized by those crimes which have been committed in England, late occurrences in Ireland have shown that a very considerable activity on the part of the conspirators still prevails there. It appears that for some time it has been the plan of those who direct the movements of the brotherhood in Ireland to endeavour by isolated outrages to keep up a state of alarm and excitement in the minds of the population. We are also in possession of information which enables us to say that in America and on the continent of Europe the members of the Fenian conspiracy are busy. The same features still characterize all the movements of the conspirators, and show us that the Fenian society is guided and ruled by men who have altogether thrown off their allegiance to the British Crown, and who boast that they are no longer subjects of the Queen — the greater portion of them being men who were born within the limits of the United Kingdom, but who have really transferred their allegiance to another Power. This is a feature not met with in any other conspiracy that has ever affected the safety of this country. The leaders of the society are beyond the grasp of this country; they are the subjects of a foreign Power, and consequently are out of the reach of British laws. It appears to me to be a very lamentable circumstance that the greater portion of the persons who are devoting themselves to the furtherance of the objects of the Fenian Brotherhood did not follow the bright example set them by the great majority of the citizens of their adopted country. I do not believe that a more remarkable spectacle was ever exhibited to the world than that which followed the close of the civil war in America, when the enormous number of men who had been engaged in a great war returned immediately, with the greatest ease, and apparently with the utmost willingness, to the occupations of peace. You will see now in America men employed in the counting-house, in shops, in railway-stations, in schools—in all the peaceful occupations—who, but a very short time ago, were leading battalions to victory in "all the pomp and circumstance of war," surrounded by all that makes war attractive. The class to whom I allude, and among whom are, I am sorry to say, a great many of my countrymen, have not followed that praiseworthy example. It appears that for the persons engaged in this Fenian conspiracy industry has no charm, and peace no attraction; for no sooner was the great civil war over than, instead of turning their attention to the arts of peace, they directed their energies to the promotion of rebellion, and to the raising of the flag of civil war in their own country; and thus we see men who had only recently been engaged in a desperate struggle for the maintenance of the union and integrity of their adopted country entering into an undertaking which had for its object the declaration of civil war and the disruption of the country in which they were born. These are the men to whom must be attributed in a great degree the misfortunes which this Fenian conspiracy have brought upon the country. I said before that they are beyond our reach. They are out of this country; and I think it is the duty of the Government to take every means to keep them where they are. It is clear that those men who are known as American-Irish are the leaders of the movement; and, lest there should be any doubt as to the effect of the measure—of which I am about to propose the renewal—I shall read from a New York paper, which is supposed to represent to a great extent the opinions of the Fenians in America, a short extract, which shows, beyond question, how useful the suspension of the Habeas Corpus Act has been. In the *New York People* I find this statement, under the head of "Advice to the Brotherhood in Ireland"—

> "For the men in Ireland to attempt to supply themselves with arms even where they have means to buy them would be hazardous as well as ineffective while the *habeas corpus* remains suspended. Let there be no more foolish demonstrations then. Let the 'men in the gap' bide their time patiently, but resolutely, nor ever make another attempt to strike at their country's oppressors until they shall find them right under their blows. Besides, the men at home require some rest now, in order to recover from the shock of their late defeats. Let them take it while they may. In England and Scotland, however, there is no need for so much secresy and caution. The *habeas corpus* is not yet suspended in these countries. The work of Fenian propagandism should be urged on vigorously and incessantly there. Every Irishman capable of bearing arms should, as soon as initiated, be instructed to furnish himself with a rifle or a revolver and with the ammunition requisite for their use, provided he can afford it; but when procured he should lay them secretly by in some safe place, and say nothing about them to any one except his immediate superior officer."

I think the events of the last six months show that the members of the Fenian Brotherhood have followed that advice almost to the letter. But, in asking the House to renew the Act, I conceive it to be my duty to show what the Government have done in conformity with the provisions of the Act, and in the exercise of the powers reposed in them. The number of persons now in custody under warrants signed by the Lord Lieutenant is 96; of whom 83 are in Mountjoy Prison under uniform treatment. The number of persons arrested from the 1st of January, 1867, to the 31st of January, 1868, was 265. In January, 1867, there were arrested 14; in February, 21; in March, 111; in April, 31; in May, 7; in June, 38; in July, 8. During August, September, and October, there were only two arrests; but I am sorry to say that in the last three months—November, December, and January—we found it necessary to exercise the powers given us by the Act to a greater extent. During these three months there were 33 arrests. The total number arrested since the renewal of the Act, on the 1st of June last, is therefore 81. It is rather interesting, and I think very important, to trace the occupations of the persons against whom it has been found necessary to apply the provisions of the Act suspending the Habeas Corpus Act. In almost every instance—I believe I may say in every instance—it has been shown beyond doubt that those men who have been arrested were implicated in the conspiracy. The warrants were limited to those who were known to be leaders, and we have never exercised the power of arrest against those who were merely dupes, who were following the advice of those who ought to know better, and had not the opportunity of judging for themselves. I have before me an analysis of the occupations of the 265 persons who were arrested. There were designated as "officers" 10; professional men and clerks 25; artizans 90; farmers 11; labourers 66; shop-keepers and shop-assistants 28; miscellaneous 35. The class of miscellaneous includes 4 merchants, 6 National school teachers, 5 sailors, and 10 men of no stated employment. That shows how small a number of the class, which is in Ireland the most numerous and the most important, have engaged in these treasonable practices. I regard it as a matter of special congratulation that of the whole number of 265 persons arrested last year eleven only were occupiers of land. It will not be necessary for me, as a full discussion must shortly take place on the state of Ireland—a discussion which we are anxious shall take place—to enter at any length into that part of the question at present, but when it does come on hon. Members, I think, will do well to bear in mind this most significant fact, that while 90 artizans, 66 labourers, 28 shop-keepers and assistants, and 35 persons of various miscellaneous occupations have been arrested for treasonable practices, only 11 persons were imprisoned who were connected with the occupation of land in Ireland. Those numbers also show how entirely confined the participation in these seditious treasonable practices has been to the lower class of the community—almost to the lowest class—and to those who are supposed to have the least education, knowledge, and opportunity of judging for themselves. The Fenians themselves have declared, both in their speeches and writings, that the great difficulty they have had in Ireland has been that they never could get any man who has anything to lose to join them, and that their adherents were composed of men who had no stake in the country, and who were the most reckless and unthinking class of the community. The whole history of the conspiracy shows, and in this I am confirmed by all the inquiries I have made—and from the position I have the honour to fill, I possess more experience in the matter than most men—that no Irish resident of character, position, and intelligence has become, or attempted to become, an active leader in this movement. There is another remarkable fact connected with the figures I have given. Of the 265 persons who were arrested not less than ninety-five—and among them are included many of the principal men arrested—had been recently in America, many of them having passed a great deal of their life in that country. It is impossible to say exactly the precise occupations which they carried on in America. We have usually only their own statements on this point, but the fact is patent that a large proportion of them have come from the other side of the Atlantic. I wish also to impress on the House that, notwithstanding the suspension of the Habeas Corpus Act, we have availed ourselves of the ordinary tribunals of the country as much as possible. Upwards of fifty of these persons arrested under warrant were afterwards committed for trial by the ordinary tribunals of the country. Throughout the whole of our dealings with this conspiracy we have never deviated from the policy we first laid down—the policy of prevention—we have never allowed any person whom we knew to be actively engaged in promoting this conspiracy to remain at large. Insinuations were, indeed, thrown out on more than one occasion last year—but which never took any other form than that of mere insinuation—that the Government had allowed treasonable practices to go on, in order ultimately to strike a more severe blow at the conspiracy. But although such a course might possibly be justified on the grounds of policy, it could not in our opinion be justified on the grounds of morality. We have held it to be the duty of the Government in a time of dangerous conspiracy, to endeavour to thwart on every occasion at the first moment the designs of the conspirators, and I can conceive nothing more cruel than that the Government should play with such a movement as this for the purpose of making some great effort to crush it by the strong arm of military force. The course which has hitherto been pursued, has been perfectly successful. The objects of the Fenians were avowed — namely, war to the knife and rebellion against the power of this country; but such has been the nature of the precautions we have taken that, with the exception of the rising of the 5th of March—an abortive attempt, which was put down in about twenty-four hours—nothing like an armed movement has taken place in the country. We have, in almost every instance, been able to thwart the plans and stop the designs of these men before any serious event occurred. To give particular instances, I would mention that during the last few weeks two notorious conspirators who were engaged in the rising of the 5th of March, and who, from all the information we received, were men of the most desperate character, lately appeared in the country.. They had not been many days in Ireland before one of them was arrested by the police in Dublin in the most gallant manner. He has been tried, and I am informed by a telegram to-day that he has been sentenced to fifteen years' penal servitude. Another man who appeared in another part of Ireland, and who was known to have taken a prominent part in a number of outrages at Cork, was by the unceasing activity of the police arrested and has been committed for trial at the next assizes. These circumstances show that these men must know that they cannot come to this country with impunity, or carry on their treasonable practices with any hope of success ; for even before they arrive in the country the Government are fully informed of their designs, and though a little difficulty has been experienced at times, there has seldom been any failure in bringing them to justice. There is a very remarkable fact that the House ought to be aware of. The number of persons pointed out and described to the Government before the rising of the 5th of March as military leaders, or men of military experience who had come from America to Ireland, was about 43. I have taken pains to ascertain the fate of these men. The statements made to the Government about them proved to be quite true. Out of these 43, the 3 principal leaders never arrived in the country at all ; 1 died before he was brought to trial, and of those who did arrive, 20 being arrested were brought to trial and sentenced to various periods of punishment. Out of 18 remaining, there were only 3 who took an active part and who were persons of importance. Those who were amenable to justice and who have not been dealt with according to law, are for the most part in exile, and do not desire to come again to Ireland, and the rest have been subjected to the punishment of their offences. That shows these men, if anything can do it, how impossible it is for them to carry on their designs with the smallest success. Everyone must have observed the invariable course of the painful scenes which have occurred. At the trial of all these men there has been the same scene of the prisoner in the dock, the informer in the witness-box, certain conviction and sure punishment. It is also to be remarked that everyone throughout these transactions who has been called upon to act in the performance of his duties, from the humblest policeman to the highest Judge—everyone, witnesses, jurymen, and those engaged in carrying out the law—have discharged this most painful duty with loyalty, faithfulness, and fearlessness. Great personal risk has been undergone by many of those men, and particularly by those connected with the two police forces of the country. Repeated attempts at assassination have been made upon men who were merely doing their duty, and I am sorry to say that in some three or four cases those attempts were successful. The Dublin Metropolitan Police, who have invariably behaved with a zeal, a courage, and a fidelity which has been equalled only by the men of the Royal Irish Constabulary, have perhaps more than any other body been thrown into contact with these desperadoes, and have discharged their duties in a manner which entitles them to the highest praise. The list of the outrages inflicted on them since the commencement of the Fenian conspiracy, though not a long is still a very painful one. I find that Constable Charles O'Neill on the 29th of April, 1866, was shot by a pistol bullet in the stomach by a man named Kearney, and died the same day; Constable Patrick Keenan on the 31st of October, 1867, was shot by a pistol bullet, and died after seven days; Sergeant Stephen Kelly on the 31st of October, 1867, was shot in the stomach, and for three weeks he was at the point of death, but happily he recovered, though he is still an invalid; Constable Matthew Donaghue on the 20th of October, 1867, was fired at by a man who attempted to assassinate a Crown witness, but not injured. Three or four other men have been permanently disabled by wounds received in the discharge of their duty connected with the Fenian conspiracy, and have been obliged to retire from the force with marks of severe personal injury; which I am afraid they will bear to the day of their deaths. I refer to these lamentable cases, not to raise undue animosity against the members of this conspiracy, but merely to remind the House how much we are indebted to the courage and fidelity of those men who are daily, at the risk of their lives, engaged in maintaining the public peace and upholding the authority of the law. In asking the House to continue this Act, Her Majesty's Government propose that it should be renewed for a longer period than has hitherto been done. Looking to the aspect of the Fenian conspiracy, it is not, I think possible to anticipate that things will assume so favourable a condition as would justify the House in allowing the Act for the suspension of the Habeas Corpus Act to expire during the present Session. I am certain it would not be safe, looking to the experience of the past, to permit the Act to expire at a time when for several months Parliament might not be sitting, and when, if there was a revival of activity, it would be impossible to obtain a renewal of these powers. What the Government therefore propose is, that, with the sanction of the House, the Act should be continued for one year longer, or till March, 1869; and provision will be made in the Bill that, in the event of Parliament not being in Session at the time, its operation will extend until three weeks after the next meeting of Parliament—so as to enable this House, in the case of a new Parliament being elected, to express its opinion at the earliest possible opportunity, whether this Act should be further continued or be allowed to expire. No one who has been actively connected with the administration of the powers given to the Government under the Suspension of the Habeas Corpus Act can avoid being thoroughly convinced of all the inconveniences and dangers which attend the conferring of such powers on the Executive. I own that in the suspension of that which we all regard as a great bulwark of our liberties there are disadvantages of the very greatest magnitude, and therefore in asking for the renewal of these powers I do not wish to conceal from the House the gravity of the proceeding. But I believe there is not a man in Ireland really anxious for the peace and wellbeing of the country who does not know that an absolute necessity exists for this measure, and who would not experience something like a feeling of dismay if he thought the House would not continue it for a certain time longer. No doubt it is a measure which nothing but the greatest necessity and the gravest national peril could justify; but I think it is clear from the experience of the past that, with all the objections and drawbacks which naturally surround them, these great powers can be exercised and administered without any real danger to the liberties of the people. The Habeas Corpus Act has now been suspended in Ireland for a considerable period; yet nobody can fairly say that in consequence thereof there is not as much freedom of action, freedom of discussion, freedom of thought, freedom of writing and speaking in that country as in any other part of the kingdom. Indeed, the only freedom which has really been interfered with under this measure is the freedom to rebel, and that has been thoroughly and completely restrained. Therefore, it is with the fullest conviction of the absolute necessity of the case—and also with the feeling that if the Government is further intrusted with these powers, we shall be able to exercise them, as we have hitherto done, without interfering with the constitutional privileges of our fellow-subjects, in the most efficacious way for the speedy repression and, I hope, the ultimate extinction of this painful conspiracy—that I now have no hesitation in asking the House for leave to introduce this Bill.

Motion made and Question proposed,

"That leave be given to bring in a Bill to further continue the Act of the twenty-ninth year of the reign of Her present Majesty, chapter one, intituled "An Act to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain for a limited time such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government."—(*The Earl of Mayo.*)

Mr. BAGWELL said, he should have been surprised if the Government had not brought in this Bill; but he must say he was much surprised at the manner in which they had brought it in. He should have imagined after all the discussions which had been going on in England, after all the speeches made upon every platform in England during the last six months, after the expression of the opinion by statesmen of all parties, and even by leading Members of the Government that the Irish question was one which recommended itself to the Government's grave and serious consideration, that they would not have had a Bill introduced for the continuance of the suspension of the Habeas Corpus Act in Ireland preceding any Notice given or Motion made for any measure for the amelioration or the pacification of Ireland. His noble Friend the Chief Secretary for Ireland had given no notice of any measure on the Irish Church, on the land question, or on education—the three great questions which agitated the public mind in Ireland. He (Mr. Bagwell) could not but regret his noble Friend's reticence on these vital subjects, because like every other Irish gentleman, he (Mr. Bagwell) was sincerely anxious to strengthen the hands of the Government in repressing a conspiracy dangerous alike to Ireland and England. It must be the object of every Irish gentleman to strengthen the hands of the Government; but what were they to think if the Government said, "We propose nothing for the amelioration of the country?" He was much afraid it was the old story—the twice-told tale of coercion, coercion, coercion—and nothing but coercion. In the course of the observations made by his noble Friend, he said the great object the Government had in view was prevention. But there was a speech made at the end of the autumnal Session by the noble Earl at the head of the Government, in which he said that the funeral processions with reference to the Manchester men were strictly legal. He thought his noble Friend said the same thing in this House. [The Earl of MAYO: I never said anything of the sort.] Well, but did his noble Friend mean to say that Lord Derby had not said the processions were not illegal and could not be stopped? Did his noble Friend mean to say that his chief had not said that? If Lord Derby had not said so, then the people of the United Kingdom had been grossly misled by the newspaper press. The processions did take place with the consent and approbation, he might say, of the noble Lord at the head of the Government. After the procession in Dublin the Government thought the thing was going rather too far, and they stopped all further processions; and not only that, but they actually prosecuted people for attending a gathering which the head of the executive power in this country had declared was perfectly legal. Now, if that was prevention he did not know the meaning of the term. He must say that the noble Lord (the Earl of Mayo) had made an exceedingly temperate speech — a speech which, if it had been preceded by a Notice of any measure which the Government thought fit to bring forward for the amelioration or pacification of Ireland, he (Mr. Bagwell) would be the last man in that House to find fault with. The noble Lord had made a speech upon a subject with which he was thoroughly conversant—a speech most creditable to him under the circumstances of grave difficulty in which he was placed. Now, the noble Lord said, that all through this Fenian conspiracy only eleven farmers were found to be connected with it in Ireland. He (Mr. Bagwell) had not thought there were so many; but his noble Friend took very good care not to say how much sympathy with the conspiracy was shown by the farmers of Ireland. There were two ways of promoting rebellion—one was by a man openly taking the field at the risk of life and liberty, and defying the power of the Crown; another way was to sympathize with rebels, and do all in one's power to shelter them from the consequences of their acts. Now, if the farmers of Ireland were contented, would they be sympathizers with that state of crime and rebellion which they knew must be more injurious to their interests than to those of any other class in the country? If sympathy were not shown by the farmers, this conspiracy could not be carried on for a week by those wretched people who talked sedition in public houses, aided by a few "rowdies" from America; and what was more, it would not be sympathized with if the Government brought in measures which would satisfy the Irish people. He should like to know whether the Bill now about to be brought in was exactly the same as the last one? [The Earl of MAYO: It is.] He (Mr. Bagwell) was glad to hear it. He concurred in the expediency of continuing the Act for a considerable time, as it was highly undesirable that irritating measures of this description should be constantly brought under renewal. He must bear testimony to the mildness with which the powers given by the last Bill were exercised. The police and the magistrates had acted admirably; and he must also say that if any mistakes had been committed, the blame lay with the Government, who directed the police and the magistrates, and not with either of the latter. Now, he did hope that in the course of discussions which would shortly be raised, the Government would tell the House and the country what they really meant to do. They had been asked that very night, and on the previous night as well, when they meant to bring in the promised Bill for the reform of the representation of the people in Ireland. Well, that had been put off yesterday, and on that evening also no satisfactory answer had been given to the question. The question would be asked of the Government next week whether they intended to bring in a measure to satisfy the tenant farmers of Ireland? Would the same answer be given that had been given to the question respecting the Irish Reform Bill? There was a question to be put by the hon. Member for Cork (Mr. Maguire), and it was to be hoped that in the discussion which would ensue upon it the Government would tell the House what they were about to do —because he declared that if the present Government had not made up their minds to take up and deal with the Irish question, they ought not to be allowed to sit longer on the Treasury Benches. He said that without the slightest wish to replace them by Gentlemen sitting on that (the Opposition) side of the House, because he thought, from the composition of the present Government, they were more Irish than a Government composed of Gentlemen now in Opposition would be. He had no intention of opposing the introduction of the Bill, but sincerely hoped the Government would declare what their policy towards Ireland would be.

Motion *agreed to.*

Bill *ordered* to be brought in by the Earl of MAYO, Mr. Secretary GATHORNE HARDY, and Mr. ATTORNEY GENERAL.

Bill *presented,* and read the first time. [Bill 28.]

PUBLIC ACCOUNTS.

Committee of Public Accounts *nominated*:— Mr. CHILDERS, Viscount CRANBORNE, Mr. ALGERNON EGERTON, Mr. HANKEY, Mr. HOWES, Mr. HUNT, Mr. LAING, Mr. POLLARD-URQUHART, and Mr. SEELY.

House adjourned at a quarter before Ten o'clock, till Monday next.

HOUSE OF LORDS,

Monday, February 17, 1868.

MINUTES.]—PUBLIC BILLS—*First Reading*—Registration of Writs (Scotland)* (15); Consecration of Churchyards Act (1867) Amendment* (16).
Committee—East London Museum Site (12).

HARBOUR AND COAST DEFENCES.

QUESTION.

THE EARL OF AIRLIE rose to ask the Under Secretary for War, Whether any Steps have yet been taken to carry out the Recommendations of the Defence Commission (1860) with regard to the Construction of Floating Batteries for Purposes of Harbour and Coast Defence? The noble Earl remarked that the subject of his Question appeared to him to be of the greatest importance, and that it would consequently be necessary for him to make a somewhat lengthened statement respecting it. Several years ago a Royal Commission was appointed for the purpose of inquiring into the expediency of providing for the defence of the country by means of the construction of fortifications at certain points. The Commissioners presented their Report in the year 1860. They recommended that the dockyards should be placed in a complete state of defence, and that to attain this object fortifications should be constructed, and supplemented by floating batteries. Now, in order to show what kind of vessels the Commissioners had in their mind he would read the following extract from their Report:—

> "The vessels to be constructed for the purposes of harbour defence should be divested of all qualities that are not necessary for this kind of service, in order to reduce the expense of building, and to prevent them from being detached on other duties."

The vessels which in the opinion of the Commissioners it was expedient to construct were not intended to be sea-going ships, but were meant for the defence of our harbours and coasts, and for that purpose alone. Since that Commission reported a great deal of fresh light had been shown on this subject, and in 1865 we had the experience of the American War. In that year a Committee of naval officers was appointed by the then First Lord of the Admiralty to report on Captain Coles's plan of turret-ships. The Committee recommended that the turret system should be tried, and that a sea-going vessel should be built by way of experiment. They expressed, however, strong doubts as to whether this particular mode of construction was adapted to sea-going ships, though they expressed no doubt whatever as to its being suited for vessels intended for the defence of our coasts and harbours. He was glad to notice that his noble Friend the Chairman of that Committee was in his place, because he would be able to correct him in the event of his making any misstatement respecting the recommendations of that Committee. Well, the Committee, after giving their opinion on the relative advantages and disadvantages of this mode of construction, expressed themselves in these terms—

> "We fully recognize the great advantages of the revolving turret system of armament as applied to floating batteries and harbour and coast defences, to which they are, in a great measure, confined, as vessels on the *Monitor* plan can be built so low as to render it most difficult to hit them, and in which the unlimited training of the turrets would not be interfered with by masts or other obstructions. A floating battery of this description, even with one turret only, would be most formidable, for if the turret were disabled she could haul out of action under the protection of her consort."

He believed he was correct in stating that there was an almost universal concurrence of opinion that, for purposes of coast and harbour defence and for occasional service in the Channel, turret vessels were superior to every other class of ship. There was a universal opinion that they could carry a heavier armament and heavier armour-plates. Indeed, as a matter of fact, vessels of this sort had for the last four or five years carried guns much heavier than any which had been placed on board other ships. The *Hercules*, the last of our broadside iron-clad ships which had been launched, and the strongest broadside iron-clad afloat, carried iron plates nine inches thick over the part where she was most heavily plated; but so far back as the autumn of 1864 the Americans had launched a vessel carrying a turret fifteen inches thick. With regard, however, to the form best adapted for a sea-going ship, the greatest possible variety of opinion existed. This being the case he should have thought the proper course would have been to construct, in the first instance, those vessels which were absolutely necessary for the purpose of placing our dockyards in a position of security, and to proceed with great caution and deliberation in building those other vessels in regard to which there existed so great a diversity of opinion. But it seemed that exactly the opposite course was adopted. We had spent £11,000,000 in the construction of what were termed iron-clad cruizers. Of these all, except four, were broadside vessels, and we had got together a collection of vessels hardly any two of which carried the same armament, or had the same rate of speed or draught of water, while some of them were of such prodigious size that there were very few harbours in the world which they could enter; and he believed he was correct in saying that they could not be docked in any dock except that of Malta; while, to add to the inconvenience, many of them could not carry more than three or four days' coal. Now, it was said that we must have cruizers to protect our trade; but what, he would ask, was meant by the protection of our trade? Did it mean that our merchant vessels should be so protected in time of war that our merchants could carry on their trade as in time of peace? If so, we should have to undertake a task which was very difficult and well nigh impossible. The trade of the world had so grown, we had thrown open our trade to foreign shipping so completely, and competition for the carrying of this great trade was so sharp, that a very slight difference in the rates of freight and insurance would soon induce a merchant to ship his goods on board a vessel belonging to one country rather on board a vessel belonging to another; so that, in the event of a great war, it would be next to impossible to prevent a great portion of our trade being transferred to neutral bottoms. If by protecting trade was meant protecting our coasts and preventing a blockade of our harbours, then he went to the fullest extent with those who were in favour of building vessels for the protection of our trade. We had an enormous amount of capital embarked in our merchant ships; but supposing those ships were to suffer, even then our trade would not be annihilated. Our commerce would, in fact, be carried on in neutral vessels. He did not think anyone could contradict him when he said that those armed ships, to which he had been referring, were the vessels best suited not only to the defence of our dockyards, but also to the protection of our commercial harbours. He put it to any naval man whether a small number of those vessels stationed at, say, the mouth of the Thames, would not prevent a blockade of sea-going vessels very much their superior in number and size? The Americans would tell us now, if their opinion on the subject were asked, they had discovered a mode of constructing vessels which would render a blockade of the United States by any maritime Power quite impossible. We knew that during the late war in America, notwithstanding the number of vessels which had been destroyed, so far from the trade of the United States being destroyed, the imports of that country during the last two or three years of the struggle were much larger than they had been at any former period. That was a practical proof that so long as a country could keep its ports open its trade might be carried on even though its merchant shipping were swept from the seas. On the other hand, if we were engaged in war against another maritime Power, and that, owing to a want of proper defences, a blockade was established on our coasts, what would be our position? We must not measure the amount of injury which we should sustain from a blockade by the injury which we had been able to inflict in times past on other nations. During the blockade established by the North, the population of the Southern States suffered great hardships, indeed, he might say miseries, though the people against whom it was directed were a purely agricultural people, thinly scattered over one of the most fertile countries in the world, a country capable of producing far more food than was required to supply the wants of its inhabitants. We, on the other hand, were a trading and manufacturing community, dependent for a large portion of our supplies of food on foreign nations. Let, then, a blockade be established over our ports, and it meant not high prices, not suffering, but famine and starvation, as regards great masses of our population. As, therefore, between a class of ships which, in the opinion of all professional men and of the American Government, would be able to prevent a blockade, and between another class which it was supposed might be useful as cruizers, there could be no hesitation. But it was said that these turret-vessels could be very quickly built. In plain English that meant that we might wait till war broke out, but if we did that we should find that we had to pay an enormous price for very bad work; and if we waited till danger was imminent, it was by no means certain that we could get the work done in time, on any terms or at any price. We should have watched the progress of events to very little purpose if we had not noticed that the operations of war, like everything else, had of late been much accelerated. Now the object of each belligerent was to concentrate within a few months efforts that formerly would have been spread over years. The tendency of the modern system was, in fact, to strike quickly, to strike hard, and to strike home. It would be very little comfort to us, if we suffered a great disaster, to know that if the enemy had only given us a few months to prepare for him we should have been able to defeat his attack. Nor was this warning gratuitous or ill-timed. Everywhere there was distrust and uneasiness—every European Power was adding to its armaments; and no man could tell how long the present armed peace might last, or by what accident it might be broken. He (the Earl of Airlie) was no alarmist. On the contrary, it had always appeared to him extraordinary that Englishmen should speak with apprehension of a revolution in the art of war, the tendency of which was in favour of that people which had at its command the greatest amount of coal, of iron, and of manufacturing skill. Nor did he cry out for an increased expenditure. Parliament had never shown itself niggard in its reponse to any appeal made to it for means by the Government of the day; but he did put it to Her Majesty's Ministers seriously to consider whether it would not be prudent to carry out this measure of defence to which he had referred, and to be content to abandon for a time those experiments in naval architecture which had proved so costly, and, he feared, so very unsatisfactory.

THE EARL OF LONGFORD said, it was true that the Defence Commission of 1860 did recommend the construction of a system of floating vessels for the purpose of harbour and coast defence. They attached very great importance to such defences, and indicated several harbours and rivers in which turret-vessels might be advantageously posted. The Estimate of the Commission, including £1,000,000 specially devoted to those floating batteries, was £11,850,000. When the Government of that day, however, considered the question, they reduced the sum which they decided upon proposing to Parliament to £7,000,000, and they excluded altogether from the Estimate the £1,000,000 which the Commission had recommended for the construction of floating batteries. He believed it had been hoped that these defences might be gradually provided out of the ordinary Navy Estimates annually voted by Parliament; but it very soon became apparent that the hope was futile. Year after year it had been found that there was no surplus applicable to such a purpose. The Members of the Defence Commission who still turned their attention to such subjects, entertained the same opinion that they formerly did, as to the great importance of floating batteries. But he feared that no immediate prospect existed of their construction being proceeded with, unless Parliament consented to make some special appropriation of monies to this purpose, a course of which at present there did not seem to be any indication.

EAST LONDON MUSEUM SITE BILL.

(*The Lord President.*)

(No. 12.) COMMITTEE.

House in Committee (according to Order).

LORD REDESDALE said, that his opposition on a former occasion had been directed, not against the provisions of the Bill itself, but against the want of sufficient notice with regard to the lands proposed to be taken or affected. The interval which had elapsed since last December had afforded ample time for residents in the locality to make themselves acquainted with the character of the proposals contained in the Bill; but it was right that these should be also understood by the public at large. In establishing, as was contemplated, a Museum for the East End of London, at the national expense, they were laying, he feared, the foundation of claims to have similar institutions established at the national cost, not only in other parts of the metropolis, but in all the great towns of the Kingdom as well. For his own part he could not see why Lambeth, in the South of London, had not as good a claim as the East. Dublin possessed a Museum, and he could not see why Manchester or Liverpool should not ask for a national Vote for a Museum as well as Bethnal Green. It might be quite right to establish this institution, but the precedent would certainly prove inconvenient.

Amendments made: The Report thereof to be received *To-morrow.*

REGISTRATION OF WRITS (SCOTLAND) BILL [H.L.]

A Bill to alter some Provisions in the existing Acts as to Registration of Writs in certain Registers in Scotland — Was *presented* by The Lord COLONSAY; read 1ª. (No. 15.)

CONSECRATION OF CHURCHYARDS ACT (1867) AMENDMENT BILL [H.L.]

A Bill to amend "The Consecration of Churchyards Act, 1867"—Was *presented* by The Lord Bishop of OXFORD; read 1ª. (No. 16.)

House adjourned at a quarter before Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, February 17, 1868.

MINUTES.]—SELECT COMMITTEE—On Standing Orders *nominated;* on Metropolitan Foreign Cattle Market *nominated;* on Military Reserve Funds *appointed.*

PUBLIC BILLS—*Ordered*— Representation of the People (Scotland).

First Reading— Representation of the People (Scotland) [29].

Second Reading — Habeas Corpus Suspension (Ireland) Act Continuance [28].

Committee — Public Departments (Extra Receipts) * [26].

Report—Public Departments (Extra Receipts) * [26].

IRELAND—DAUNT'S ROCK—CORK HARBOUR.—QUESTION.

MR. MAGUIRE said, he rose to ask the Vice-President of the Board of Trade, If the Government have had under their consideration the danger to the naval as well as mercantile interests caused by the existence of Daunt's Rock; whether, after the late accident to one of Her Majesty's ships, occasioned by the frame of the *City of New York* still lying on the rock, it was proposed to place a lighthouse on the rock, or to effect its removal by blasting; or, if he would say what were the intentions of the Government with respect to an admitted source of constant apprehension?

MR. STEPHEN CAVE: Sir, this subject has not only been considered, but action has been taken upon it. In the autumn of 1846, after the loss of the *City of New York*, the Irish Light Commissioners, then called the Ballast Board, changed the light of Roche's Point into a red revolving light, throwing a sector of white light from the lighthouse across Daunt's Rock, and established a bell-boat, all at the expense of the Mercantile Marine Fund. This was the course followed with regard to the analogous case of the Manacles' Rocks, near the entrance of Falmouth, with this difference in favour of Daunt's Rock, that it is a mile nearer the lighthouse. This is one of those cases which, as I explained last year in reference to the Solway, affect local trade, and therefore it is not fair to saddle the cost on the whole mercantile marine of the country. Cork, indeed, has been already unduly favoured, because the light on Roche's Point is under certain old arrangements so paid for, which would not be the case with respect to any English light, such as that of the light of St. Anthony's Point, Falmouth. The Papers moved for by the hon. Member in 1864 showed that Captain Shadwell, who surveyed the rock, considers blasting hardly possible, and that the danger has been much exaggerated. And the Wreck Returns show that from January, 1859, to December, 1866, eight years, there has only been one casualty—that to the *City of New York*. Since then the *Research* struck on that wreck, and the *Chicago* ran aground several miles from the rock. Early in 1864 a light-ship was offered to Cork on the usual terms with respect to local lights. This was refused. A proposal has lately been made for blasting, into which the Admiralty and Board of Trade are now inquiring. I thought it due to the hon. Member to make this somewhat tedious explanation, and the conclusion is this:—The lighting or blasting of Daunt's Rock would be of no advantage to the general passing trade, therefore it would be unfair to defray the cost out of the Mercantile Marine Fund. The danger is not so great as to justify the Irish Light Commissioners in fixing this burden compulsorily on the trade of Cork. But if the trade of the port is willing to be taxed for this purpose, the Irish Light Commissioners would place a light there, and levy rates not only on vessels proceeding to and from Cork, but on all which, by calling off for orders or otherwise, benefit by the light.

REPRESENTATION OF THE PEOPLE ACT, 1867—COMPOUND-HOUSEHOLDER.

QUESTION.

MR. E. HAMILTON said, he would beg to ask Mr. Chancellor of the Exchequer, Whether any representations have been made to him as to the hardship and distress which the abolition of the composition of rates under the Reform Act of 1867 is causing to occupiers of small rated houses in a great number of English Parliamentary Boroughs, and whether the Government is prepared to introduce any measure of relief during the present Session? He would also beg to add that when he put the question on the Notice Paper he was not aware that he should have been anticipated as to a portion of it by the hon. Member for Maldon (Mr. Sandford); but, as he had been, he would not ask the right hon. Gentleman to answer the second part of the Question.

THE CHANCELLOR OF THE EXCHEQUER: Sir, as to the first part of the Question of the hon. Gentleman, I have to reply that no representations of any kind have been made to me of hardships and distress having been occasioned by the abolition of the composition of rates under the Reform Act of 1867. Of course there was increased trouble when the law came into operation in the collection of rates, and the Poor Law Board, in anticipation of such trouble, issued an Order to the local authorities which facilitated the duties of the collectors. As the hon. Gentleman has gone into this question, comprised under two heads, perhaps I may be permitted to answer it more fully. There is no doubt that in some cases there has been a misapprehension on the part of the overseers, and under that misapprehension some inconvenience and a sense of injustice have been created. Now, in the city which the hon. Gentleman represents, I know that there has been a very great feeling of indignation with respect to the operation of this Act. A public meeting has been held at Salisbury, and a strong resolution has been passed, condemning the hon. Gentleman for having voted for the abolition of the compound-householders [Mr. HAMILTON: No, no!], but on inquiry into the case I find that the overseers of the city of Salisbury made their assessment upon the full rental *plus* the compound rate which had been paid by those favoured persons before the Act was passed. They naturally felt that if their privileges as compound-householders were abolished. and if they were to be assessed upon the full rental *plus* the compound rate, a great act of injustice would be done them, which no one can deny. That, however, is not to be attributed to the state of the Law, but to the constituents of the hon. Gentleman who made the blunder in question. I see no reason whatever, when the Act is in full operation, why more inconvenience should be felt in Parliamentary Boroughs where compound-householders did exist than is now experienced in those boroughs, some of them of the highest importance, where the occupiers were always rated as ordinary occupiers, as for example the considerable borough of Sheffield, the borough of Oldham, Rochdale, and others which the hon. Gentleman will doubtless recollect. With regard to exemption on the ground of poverty, there is nothing in the Act of 1867 to preclude persons claiming such exemption. With reference to the second part of the hon. Gentleman's Question, which he said he would not press, I may state, in addition to the reasons which I have given as influencing the Government in not proposing to introduce a measure during the present Session, that, though the Act has but very recently come into operation, new and very extensive arrangements have been made in contemplation of its action. Such a course, therefore, on the part of the Government would be most precipitate, and, perhaps, very injurious.

Mr. E. HAMILTON said, he was not aware that any meeting had been held in the city which he had the honour to represent, or that any resolution condemnatory of himself had been passed. He should, however, bring forward a Motion on the subject.

SCOTLAND—LAW PROCEDURE.

QUESTION.

Mr. NICOL said, he wished to ask the Lord Advocate, Whether, in the proposed change in the Law Procedure of Scotland, he will take into consideration the extension of the jurisdiction of the Enclosure Commissioners in England to Scotland, as regards the enclosure and improvement of Commons, and the exchange and partition of lands?

The LORD ADVOCATE said, in reply, that he had looked into the Acts which regulated the jurisdiction of the Enclosure Commissioners in England, and was satisfied that it would be impossible to extend the provisions of those Acts to Scotland. There was an Act passed about 1695 by the Scottish Parliament for the purpose of enforcing the partition of lands held in common, and that Act had been put extensively in operation. He should look into it and see whether any improvements could be introduced. If so they should be embodied in the Bill to amend the Law Procedure of Scotland, or be made the subject of a separate measure.

CONTAGIOUS DISEASES ACT.

QUESTION.

Lord EUSTACE CECIL said, he would beg to ask the Secretary of State for War, Whether it is the intention of the Government to move for a sufficient sum in the forthcoming Estimates to extend the benefit of the Contagious Diseases Act to every camp, garrison, and seaport town in the United Kingdom, considering the large percentage of soldiers and sailors whose services are now wholly or in part lost to the State in consequence of its partial and incomplete adoption?

Sir JOHN PAKINGTON, in reply, said, his noble Friend would find, when the Army Estimates were produced, that the Vote for carrying out the Act in question had been considerably increased. He would rather, however, postpone any explanation of the manner in which the grant would be applied until he proposed the Estimates.

ARMY—DISTINGUISHED-SERVICE MAJORS.—QUESTION.

Captain VIVIAN said, he would beg to ask the Secretary of State for War, Whether the distinguished-service Majors (whose case was stated last Session to be under consideration) are to be placed on the same footing as regards promotion to the higher rank as the Lieutenant Colonels; and, if so, when the Warrant granting their promotion will be issued?

Sir JOHN PAKINGTON replied, that he felt that, after what he had said in answer to the hon. Member for Berkshire (Sir Charles Russell) a few nights back, it was very natural that officers, whose interests were involved in this point, should desire to know the course he intended to take, and he was now prepared to answer that part of the Question. The Majors now at the head of the list were, to the number of thirty, part of a batch of distinguished-service Majors, and he intended to concede their claims by at once promoting the whole of them; and in the future—there being three or four of the batches of these distinguished Majors—so soon as the turn came for promotion of the senior officer in each batch, he should promote the whole of them. He hoped this would meet the wishes of all parties concerned or interested.

Captain VIVIAN said, he wished to know, When the turn for the promotion of the next batch would arrive?

Sir JOHN PAKINGTON: The 1st of last January.

INDIA—IRRIGATION WORKS.

QUESTION.

Mr. SMOLLETT said, he would beg to ask the Secretary of State for India, Whether a proposition has been made to purchase the works of the East India Irrigation and Canal Company for a sum of £890,000—namely, £740,000 actually expended on the works, and £150,000, being interest paid out of capital; and, whether the negotiation for purchase was made with the full knowledge that for many months previously the capital stock of the Irrigation Company was quoted in the daily list of shares at from 20 to 30 per cent discount?

SIR STAFFORD NORTHCOTE replied that, in consequence of a strong recommendation from the Government of India, he, in the month of November last, made an offer to purchase their stock at a valuation. What the amount would have been he could not say. This was not only declined but refused with some expression of indignation at so low an offer having been made. He had no reason, therefore, to think that the offer was an extravagant one.

IRELAND—LANDLORD AND TENANT.

QUESTION.

MR. O'BEIRNE said, he wished to ask the Chief Secretary for Ireland, Whether he intends to introduce any measure for the improvement of the Law of Landlord and Tenant in Ireland during the present Session; and, if he does, whether he will now fix a day for that purpose?

THE EARL OF MAYO: I understand, Sir, that a discussion on the state of Ireland is likely to come on to-morrow week on a Motion of the hon. Gentleman the Member for Cork (Mr. Maguire), and I think it will be more satisfactory if I take the opportunity then to state to the House the intentions of the Government with regard to this question of Landlord and Tenant.

AMBASSADOR FROM CHINA.

QUESTION.

COLONEL SYKES said, he wished to ask the Secretary of State for Foreign Affairs, Whether any accounts have been received at the Foreign Office in confirmation of statements in the *Friend of China* of the 9th December, 1867, and *North China Herald*, that Mr. Burlenghame, United States' Minister at the Imperial Court of Pekin, had accepted the office of Ambassador from the Chinese Government to the Governments in Europe; that he left Pekin on the 24th November for Tientsin, but was stopped on the road by rebels, and was only relieved from his position by the United States' Steamship of war *Ashwelot* and a party of bluejackets from Her Majesty's gunboat *Dove*; and, whether he will lay upon the table the Memorials from the commercial communities in China respecting the revision of the Treaty of Tientsin, addressed to the British Minister at Pekin or to the Foreign Office?

MR. E. C. EGERTON replied, that intelligence had been received of Mr. Burlenghame's appointment as Chinese Ambassador to the European Governments. As to his detention and release, he would read an extract from a letter forwarded to the Foreign Office, containing a full statement of the facts. The writer said—

> "Mr. Burlenghame's letter to Mr. Wade (enclosed by the latter to Mr. Hammond) is dated Shanghai, December 10, and in it he states—'You have doubtless heard we were stopped at Hosiwu by a roving band of robbers. Our carts were brought to a halt by the cry that they (the robbers) were in front. The drivers could not advance, but made a stampede for Hosiwu, where we remained for forty-eight hours, menaced by 300 robbers. I sent messengers to Pekin and Tientsin. Succour came almost simultaneously from both places. Captain Dunlop, of Her Majesty's gunboat *Dove*, mounted his 'bluejackets' and rode forty-five miles in twelve hours in the night, and was the first to arrive. Sir Rutherford Alcock's escort, under Murray, with Conolly and Baber as volunteers, came next, and thus it was that we were rescued. I wish everywhere to make known the most energetic and gallant conduct of Captain Dunlop.'"

He had no objection to produce the Memorials.

THE OATHS COMMISSION.—QUESTION.

MR. GILPIN said, he would beg to ask the Secretary of State for the Home Department, If it is his intention to introduce a Bill founded on the Report of the Oaths Commission?

MR. GATHORNE HARDY replied that a Bill had been prepared, and was now in the hands of the Lord Chancellor, for introduction in the other House of Parliament, with a view to facilitate its early passing.

PURCHASE OF THE ELECTRIC TELEGRAPHS.—QUESTION.

SIR CHARLES BRIGHT said, he wished to ask the Secretary to the Treasury, Whether it is the intention of the Government to bring in this Session a Bill for the acquirement and working of the Electric Telegraphs in the United Kingdom; and, if so, when it will be introduced?

MR. HUNT said, in reply, that it was the intention of the Government to bring in a Bill for the acquisition of the Electric Telegraphs in the United Kingdom, and that he hoped in the course of this week to fix the day for its introduction.

POSTAL COMMUNICATION WITH MALTA.—QUESTION.

SIR GEORGE BOWYER said, he wished to ask the Under Secretary of State for the Colonies, What steps the Government are prepared to take for the conveyance of letters to and communication with Malta, in consequence of the Peninsular and Oriental Company's steamers ceasing to touch at the island?

MR. ADDERLEY said, in reply, that by the new arrangement of passing through the Straits of Messina, instead of stopping at Malta, the transit of the mails by the Peninsular and Oriental contract between Marseilles and Alexandria would be accelerated by about twelve hours. Other mails would still go from Southampton by Gibraltar twice a month to Malta by the Peninsular and Oriental Company, but what substitute would be given to Malta for the mail between that island and Marseilles was still under the consideration of the Government. As soon as any arrangement was made he would inform the House of it.

CAMBRIDGE UNIVERSITY ELECTION—INTERFERENCE OF PEERS.

QUESTION.

MR. WHITBREAD said, he wished to ask the hon. Member for Perthshire, Whether it is true that the Bishops of Ely and Lichfield are on the Committee for conducting Mr. Beresford Hope's election for Cambridge University; and, if so, whether that is not in contravention of a Standing Order of the House of Commons, declaring it to be a high infringement of the privileges of the House for any Peer or Prelate to interfere in the election of Members of Parliament; and whether these right rev. Prelates still continue to be Members of the Committee?

SIR WILLIAM STIRLING-MAXWELL replied that the names of the two right rev. Prelates had been withdrawn. As it was a matter personal to himself, he would beg permission of the House to make a statement with regard to their having been placed there. Considering that, at the last election for the University of Oxford, certain Members of the other House tendered their votes, and that the circumstance had passed without observation in this House, the friends of Mr. Beresford Hope supposed, perhaps erroneously, that University Elections were exceptional, and that the rule with regard to the interference of Peers was, in their case, neither rigidly observed nor strictly enforced. As soon as the exact terms of the Standing Order were brought under their notice on Friday, by some of their kind friends on Mr. Cleasby's committee, the committee gave orders that the names should be withdrawn. He did not believe that the names appeared in any of the newspapers, except in some weekly papers, which were printed before the orders were given. He was anxious to state that for the appearance of the name of the Bishop of Ely on the list the committee were responsible. It was placed on the list in consequence of a hasty interpretation, which turned out to be a misinterpretation of a very kind letter received from the right rev. Prelate. He had only further to say he greatly regretted that he should have been personally concerned in any infringement of the rules of the House.

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

(*The Earl of Mayo, Mr. Secretary Gathorne Hardy, Mr. Attorney General.*)

[BILL 28.] SECOND READING.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*The Earl of Mayo.*)

COLONEL FRENCH said, he did not rise for the purpose of opposing the second reading of this Bill, nor did he complain of the manner in which the powers conferred by the measure had been exercised by the present Government. But there were some circumstances connected with it, about which he desired some explanation from his noble Friend. He wished to ask why the Bill was to be limited to Ireland? why it was not to be extended to England? It might be said that in this country the Government could rely on the fidelity of the nation, but he thought he could show that the population of a great part of Ireland was as much to be relied upon as that of England. Great crimes had been committed at Chester, Manchester, Clerkenwell, and other places. There had been threats of the assassination of Her Majesty's Ministers, and there had been the actual assassination of some of the police. The Government appeared to have taken the subject into consideration, and had adopted certain precautionary measures. They had increased the Metropolitan Police Force, and armed the constabulary with revolvers. It appeared, however, that the constables were not to use them in their own defence, or in carrying out the law; for a constable was expected, according to the newspapers, to have three shots fired at him before he returned fire. That had happened in England. In Ireland, all the propertied classes—the clergy and the landlords—were ready to support the Executive Government. In all the arrests that had taken place, there were but eleven men connected with the land. As the circumstances of the two countries were precisely similar, he saw no reason why any difference should be made in the treatment of England and Ireland; and if it were necessary, as he believed it to be, that this measure should be extended to Ireland for another year, he thought it should be extended to England.

Mr. CHICHESTER FORTESCUE said, it was quite impossible on his own part and on the part of those who sat upon that (the Opposition) Bench not to give an assent, however reluctantly, to the second reading of this Bill: but it was equally impossible to let the occasion pass in silence. He willingly admitted that it was necessary for the Government to ask and for the House of Commons to grant the continuance of these exceptional powers in the hands of the Executive of Ireland. These powers had been used by the Lord Lieutenant of Ireland and by his noble Friend (the Earl of Mayo) with moderation and discretion, and with a due regard to the liberty of the subject. Those powers were strictly measures of prevention—prevention of such insurrectionary movements as would require to be suppressed by force of arms and the shedding of blood, and their continuance was demanded from the House of Commons by a sense of duty to the country and for the sake of the peace and safety of the Empire, and of Ireland in particular. He believed that the passing of this Bill would be in accordance with the opinion of all those in Ireland who had property and honest industry to lose, and who desired the maintenance of peace and order—that was to say of the great majority of the people. Having, however, admitted the necessity of this measure, they yet had it before them in all its naked deformity as a simple measure of coercion, which they were now called upon to pass for the fifth time, and for the third year of its continuance. That was a state of things demanding their most earnest attention and consideration. It was a formidable symptom and evidence that could not be denied of a lamentable and unsound state of things—of a malady to which as yet they had not begun to apply a remedy—of disaffection still raging—of an insurrectionary and dangerous conspiracy which all the powers of law and order had not yet succeeded in crushing, and which had not yet been rendered hopeless or impossible by any active loyalty on the part of the population of Ireland. This was bad enough, but what was worse was that the Government had laid the House under the painful necessity of saying "aye" or "no" to this measure without its being accompanied by the introduction or even the announcement of any remedial policy for Ireland. He thought it was a situation of which they had a right to complain when they were called on to support this measure in the absence of any information from the Government upon any one subject of Irish legislation. They had been told that night that they were to have a Reform Bill for Ireland; and although he knew that some persons last year were profane and sceptical enough to doubt even the introduction of that Bill, that was a scepticism to which he did not himself give way; but on those great questions which were admitted to be the cardinal points of the Irish problem—the land, education, and the Church—at that moment they were in absolute ignorance of the intentions of the Government. The only exception to that statement was to be found in the fact that a high authority in the Ministry had within the last few weeks declared that the great question of the Irish Church was not to be dealt with by Her Majesty's Government. Now, the question of the Church he held to be the greatest, in a Parliamentary sense, of all the Irish questions; for whatever might be the comparative importance of other Irish matters, it was with the Established Church, as an institution depending wholly upon the will of Parliament, that Parliament was most capable, and therefore most bound, to deal. On the other two great questions they were left altogether in the dark. Under these circumstances he thought they had a right to complain of the painful position in which the Government now placed them in compelling them, by a sense of duty and necessity, to vote for the second reading of this Bill, unaccompanied by the slightest information as to any intention on the part of Her Majesty's Government, to enter upon a remedial policy for Ireland.

SIR HENRY WINSTON BARRON desired, like his right hon. Friend who had just spoken (Mr. Chichester Fortescue), to enter his protest against their being called upon to read this Bill the second time without having before them any proof whatever that the Government were determined to grapple with the very serious difficulties, dangers, and grievances of the Irish people. It was a most melancholy fact that, sixty-eight years after the Union between the two countries, the British House of Commons should be called upon year after year to suspend the great Palladium of the Irish people's rights in order to carry on even the semblance of government in Ireland. He quite admitted the necessity of the present measure; but he said it was necessary simply because successive Parliaments and successive Governments had failed to grapple with the evils which notoriously existed in the sister country. Since the Act of Union was passed they had had three rebellions in Ireland and constant supensions of the Habeas Corpus, and he could not even remember how many times it had been suspended since he had been a Member of the House; they had had Insurrection Acts, Arms Acts, and every kind of coercive legislation; but all had failed to conciliate the Irish people to the rule of that House and of England. He traced all the confusion and mischief now prevalent in Ireland to the fact that they had not recognized in their legislation for its people the truth that they were a Catholic nation. The vast majority of the nation had no share in the government of their country. Forty years had passed since Catholic Emancipation; and yet down to that hour the Catholics of Ireland, and also of England, were not represented in the Cabinet, or in any of the great offices of State, or even in Ireland in all the offices which governed that country. Neither the Lord Lieutenant, nor the Chief Secretary, nor even the Under Secretary was a Catholic. So with every department of the State, from the highest to the lowest—that could be called a governing portion of it—the Catholics were studiously kept out of employment, and the vast majority of those in office were not only Protestants but Englishmen. What would English gentlemen think of it if they were governed by a Catholic Government and by Irish officials? Yet that was the exact parallel to the case of the Irish people, who would never tamely submit to such an indignity, and never ought to do so, because it was contrary to human nature and against the feelings of free-born men. The true source of the difficulty was that they did not govern Ireland through the representatives of the great popular party in Ireland, but treated the Irish as a conquered people. Was it equality with England to give one-eighth of the people in Ireland the whole ecclesiastical property of the country and to ignore the great majority of the nation? They had not the same laws in operation in England and in Ireland, and therefore the Government had to come to the House for the suspension of the Habeas Corpus Act, and for other coercive measures. Until they governed Ireland as they governed England they would never have peace or quiet in Ireland. Why not govern Ireland as they governed Scotland? The Scotch people would not submit to an Episcopalian establishment, and their feelings had been respected. Hence they were a peaceable, a contented, and a prosperous nation. Why should not Irishmen be treated with the same justice and common sense? It was often said that they had the same laws in Ireland as in England; but he denied the assertion. In regard to national education, as also in regard to land tenure, the systems pursued in the two countries were directly opposite. In England every landowner made substantial improvements in his tenements for his tenants, and every unexhausted improvement made by the tenant was allowed for when he gave up his tenancy. In Ireland the opposite principle prevailed. The landlord would not improve his tenements or land for his tenants, and made no allowance for improvements. Laws should be passed equalizing the management of property in the two countries. Then as to education, while one system existed in Ireland, the very opposite was at work in England. In England they had acknowledged the denominational principle, and in so doing they admitted that religion was the true foundation of all education. The only reasonable education was to teach the children of the poor that religion was their first duty. In England that was done, but a different principle prevailed in Ireland. These and other things ought to have been grappled with long ago, and if they had been, they would never have heard of Fenianism. The Irish people, moreover, complained and very justly, that they were scarcely ever visited by any of the members of the Royal Family, although they had in times gone by, when the people of England had turned traitors to their sovereign, been remarkable for their loyalty to the Crown. In later days, when George IV. could not drive in safety through the streets of London, he met in Ireland with a most enthusiastic and brilliant reception; and Her present Majesty also got a most magnificent welcome in that country. It was no wonder, then, that Ireland felt aggrieved at the neglect which she had experienced at the hands of royalty; or that she should find fault with the fact that there was not in Ireland a single royal residence, while there were no less than three or four in London, and thirteen or fourteen in England, Scotland, and the Isle of Wight. It was matter of complaint, too, that all the business of the country was conducted, and all the public money expended in Great Britain, and that the public patronage was disposed of in this country in the great public establishments to the exclusion of Irishmen, and that they were deprived of those advantages which they ought to enjoy, seeing that they contribute some £6,000,000 or £7,000,000 a year to the national exchequer. Again, the fisheries of Ireland were grossly neglected, and unless something was done to place her railroads on a more satisfactory footing she would have additional reason to be dissatisfied with the way in which her interests were disregarded. The truth was that the entire governing power in Ireland was vested in Protestants and Englishmen, and that she was treated as a conquered nation, instead of being dealt with on the equitable principles upon which the affairs of Scotland or our colonies were managed. For his own part, he was as much opposed to Fenianism as any man, but he could not help saying that those who sat on the Treasury Bench must be looked upon as its real promoters unless they devised some remedy for the great evils arising from misgovernment, under which Ireland now laboured.

Sir COLMAN O'LOGHLEN asked the Chief Secretary for Ireland, whether any of the ninety-six persons whom he had on Friday last stated to be in custody under the operation of the Habeas Corpus Suspension Act had been in custody for more than twelve months, and, if so, what was the longest period for which any one of them had been confined. He also wished to know how many of those prisoners had been re-arrested on their return from America subsequent to their discharge from gaol on condition that they should go to that country. The noble Lord would be good enough, perhaps, further to state whether Mr. Train, who had recently honoured Ireland with a visit, and had been arrested on his arrival there, had been taken into custody owing to some mistake on the part of the police, or by warrant of the Lord Lieutenant under the operation of the Habeas Corpus Suspension Act?

The Earl of MAYO said, he was happy to inform the hon. and learned Gentleman that none of the ninety-six persons whom he had mentioned as being now in custody had been confined during the entire time that the Habeas Corpus Act had been suspended in Ireland. The longest period for which any of those prisoners had been detained was one year and eleven months, and that protracted confinement occurred only in the case of a single individual, for whose discharge he was happy to say, an order had been made last week. Of the ninety-six prisoners all had been arrested for the first time except sixteen, and it was only under very peculiar circumstances that the Government had found themselves called upon to exercise their power of committing again to gaol a person who had been previously discharged. He found, he might add, that there were only four men in custody who had returned from America after having obtained their discharge on the condition that they should go to that country. As to Mr. Train, his arrest took place under the following circumstances: — He arrived in Ireland from America in one of the mail packets, and the police, who had strict orders to watch all the arrivals from that quarter, searched his luggage in the discharge of their duty, and found among his papers a considerable number of printed documents, consisting principally of speeches which he had made in America, and which were evidently of a very strong Fenian tendency. Those speeches, it appeared were delivered at Fenian meetings, and, as far as he could judge—for he did not read them all—they expressed very great sympathy with the Fenian movement. Proceeding on the general orders to which he had already referred, and without having received any instructions beyond them, the police therefore arrested Mr. Train, and took him before the magistrates. In doing so he believed they acted entirely in conformity with their duty, and were perfectly justified in adopting the course they took. The arrest was made late on a Friday evening, and on the following day one of the police officers went up to Dublin and had an interview with several Members of the Government, to whom the circumstances of the case were explained. The result was that an order was sent down to Cork to release Mr. Train on his making a statement to the effect that he had not come to Ireland to promote the objects of Fenianism. That statement was made, and he was the next day released from custody.

MR. MAGUIRE said, he did not rise to offer any remarks on the Bill before the House but simply to say that he thought the noble Lord (the Earl of Mayo) laboured under some misconception as to the circumstances attending Mr. Train's arrest. He was in Cork at the time it took place, and could state that his detention was not owing solely to the action of the police, but that the responsibility for it was shared by Mr. Hamilton, the resident magistrate, who was a man not likely to have recourse to any proceeding of the kind without authority from high quarters.

THE EARL OF MAYO said, that was perfectly true. Mr. Train was brought before the magistrates by the police, and was committed by the magistrates in the ordinary way.

MR. DARBY GRIFFITH said, that he feared what had been said on the other side of the House would in Ireland be considered to amount to a moral justification of the proceedings there which they all deplored. He could not let the statement go forth that there was a necessity for a renewal of the Act simply because the discontent which existed in certain classes in Ireland was engendered by the *quasi* wrongs of the Irish people. The Church Establishment was spoken of as an Irish grievance; but he should like to know what tenant farmer in Ireland paid a farthing of tithe? In that country nine-tenths or more of the tithe were paid by the Protestant landlords; and, though it might be some grievance for a Roman Catholic landlord to be called on to pay tithe, he felt quite sure that the Government and Parliament would be quite willing to put an end to that grievance, and if his hon. Friend the Member for Waterford (Sir Henry Winston Barron) would confine his attention to that point he should have his support. With regard to the land question the most outrageous fallacies were uttered, as he well knew, being acquainted with the tenure of land both in England and Ireland. The hon. Baronet the Member for Waterford said that a tenant who made permanent improvements in England without the consent of his landlord obtained compensation; but that was the error into which the right hon. Member for South Lancashire (Mr. Gladstone) fell in the debate on Irish land tenure in the Session of 1866, but which he did not venture to maintain and repeat when questioned directly by himself (Mr. Darby Griffith) on the subject, two days afterwards. What was called tenant-right in England had reference to arrangements, not between tenant and landlord, but between a tenant going out and another coming in, on account of crops, acts of husbandry, and such matters. The tenants in Ireland desired to assert a *quasi* property in the land, leaving the landlords a fee farm rent or something of that kind. The tenure of land in Scotland was under nineteen-year leases, and during that time the tenants made fortunes, and at the end of the term the landlords generally raised their rents; but what Irish tenant would be satisfied with a nineteen years' lease, or would give up the land willingly at the end of it? In Ireland leases for thirty-one or sixty-one years were expected, and that was totally opposed to the rights of property as understood in this country. He believed that as great harmony existed between farmers in Ireland holding 100 or fifty acres and their landlords as existed between landlords and tenants in England, and discontent existed only in the case of farmers with such miserable holdings as five, three, and two acres, or even so little as one acre or half an acre, or less.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.

LEAVE. FIRST READING.

The LORD ADVOCATE, in rising to move for leave to bring in a Bill for the amendment of the Representation of the People in Scotland, said, Mr. Speaker: As a new Member I crave the indulgence of the House when addressing it for the first time on a subject of such importance as the amendment of the Representation of the People of Scotland. The Motion I have to make is for leave to bring in a Bill to amend that representation. I feel that the duty which I have to discharge is considerably lightened by two considerations. The first is, that the Chancellor of the Exchequer last Session introduced a similar Bill to the one I now ask leave to bring under the notice of the House, and explained its provisions at the time of doing so; and the present Bill is in many respects identical with that measure. The second is, that during last Session there were so many discussions with reference to the franchise that it would be quite out of place for me to make any additional remarks upon that branch of the subject. I shall therefore proceed at once to explain to the House the provisions of the Bill, which I now ask leave to introduce. The English Act was founded to a great extent upon the provisions of the Scotch Bill; and we accordingly propose to carry out all the views of the House as expressed in the discussions upon the English Bill, and to give effect to the franchises established by that Bill. The Scotch borough franchise will therefore be similar to the franchise in England — that is to say, all registered householders who have been rated, and have paid their rates, will be entitled to the borough franchise. There are provisions in the Bill for the purpose of guarding against the omission of any person whose name does not appear upon the rate-book; and I think you will find that the Act is framed in such terms as will secure a vote to every person who is entitled to that qualification. I may mention that the Bill does not contain any provisions with reference to lodgers. This arises, not from any indisposition to recognize the rights of that class of voters; but from the simple reason that in Scotland we have always recognized the right of lodgers to be considered as tenants. If, however, it should occur to any hon. Member that it will be preferable to have a provision introduced with reference to the enfranchisement of lodgers—which, however, I think is amply secured under the Act of 1832—there will be no reluctance on the part of the Government to remove any doubt upon the matter by framing a clause to that effect. So much with reference to the borough franchise. I have next to address myself to the question of the county franchise. We propose to reduce the ownership qualification in counties to £5 of clear yearly value — the same as was done in the English Act. The clause will be framed in terms grounded on the Act of last Session. We further propose to fix the occupation franchise at the same rate as it has been fixed in England — namely, at the rated value of £12. I have here to explain to the House that the valuation-roll, from which the register of voters is made up, does not contain any materials for ascertaining the rating of tenants. There is a deduction necessary to be made under the 37th section of our Poor Law Act, 8 & 9 *Vict.*, c. 83, in order to make that out. There are a few parishes in which mistakes have been made in carrying out the provisions of the 37th section. These are, however, mere mistakes, and are not supported by the provisions of the Act. There are also a few parishes which have not yet adopted the legal system of rating for the support of the poor. They are small parishes, and landward parishes, with populations of trifling amount, where the poor are supported by voluntary contributions. Now, in order to secure uniformity in this matter, the Bill will contain a provision by which the valuator or assessor, who is an officer appointed either by the Crown or by the county authorities, shall enter on the valuation-roll the rated value of all premises between £50 and £12. In that way it is hoped to secure uniformity of rating throughout the counties and prevent the possibility of the suspicion—a suspicion which I do not apprehend would be well founded—of any intention on the part of parochial boards to interfere with the view of affecting the rateable value of the subjects upon which the qualification is founded. These provisions, I venture to think, will secure the occupation franchise upon a firm and fair foundation. There is a provision in the English Act that the occupation of premises which have been successively occupied by a person, shall entitle him to be put upon the register. That is to say, it will not be necessary that the person should have been in possession of the same premises for a year continuously. The only alteration upon the existing Scotch franchise will be found in this clause; and it is one which, I think the House will recognize as a right and proper alteration. The provision as to successive occupation will be found in the clause relating to the borough franchise in the Act of 1832. But by an omission there is no provision for taking into account the successive occupancy of premises by tenants in the county; and that is proposed to be corrected in the present Bill. We propose to put the county tenants upon the same footing as the borough tenants, and also on the same footing as those who received the franchise for the first time by the Act of 1867. I think that is all which it is necessary to bring under the notice of the House with reference to the franchise. The question of distribution is the next point to be dealt with, and it is perhaps one that is attended with more special interest. I may at once say that it is not proposed to take away the right of representation from any existing constituency. There are no constituencies, I think, in Scotland, in a position requiring such a course of procedure. In fact there is no superfluity of representation in Scotland. We have only two cities which possess the right of returning two Members—namely, Edinburgh and Glasgow; and it would be in vain to propose to take away any representation from either of these. In this state of matters we have to consider what is to be done in the way of procuring additional Members for Scotland. The House is aware that, under the provisions of the Act of Union, Scotland had right to forty-five Members, thirty being given to the counties, and fifteen to the boroughs. In 1831, when the Reform Act was first introduced, there was a division of the House of Commons upon the question as to whether there should be any diminution of the number of the English Members. That division resulted in a small majority adverse to the proposition, and a dissolution of Parliament took place. The consequence was that the Government of Earl Grey had a very large majority in 1832, when the Scotch Reform Bill came forward again for consideration. The proposition which was made by that Government was that there should be an addition of five Scotch representatives; but when the Bill was in Committee other three Members were added; so that it was ultimately fixed that there should be eight additional Members given to Scotland, all of which were allotted to the boroughs. The claims of Scotland on that occasion were maintained by Gentlemen who represented, or who might be held to represent, Conservative views. Sir George Murray, Member for Perthshire, and Sir George Clerk, whose recent death we have had occasion to deplore, and many others who held similar opinions, were strong vindicators of the rights of Scotland to additional Members. Well, in 1852, a new Reform Bill was brought forward by Lord Aberdeen; and in connection with that Bill a Scotch Bill also was introduced by my hon. and learned Friend the Member for Edinburgh, which made no provision for additional representation for Scotland. In 1854 and 1859 English Reform Bills were brought forward, neither of which made provision for additional Members for Scotland. No Scotch Bills were brought forward in those years. In 1860, a Scotch Bill was brought forward by Lord Palmerston's Government, and it was then proposed to add two additional representatives to Scotland. I rather think that these Members were to be supplied from Members that had been taken away from boroughs in consequence of corrupt practices. In 1866, another Reform Bill was brought forward by Earl Russell's Government, and after a very careful consideration of the Scotch claims the right hon. Gentleman the Member for South Lancashire stated, that whilst he quite acknowledged the rights of Scotland to additional representation, still it required to be borne in mind that we were not engaged in complete re-construction of our whole Parliamentary system; but he was prepared to concede to Scotland, as a moderate recognition of its rights, seven additional Members. Now, speaking as a Scotchman, I would desire to have a larger number added; but at the same time I wish my Scotch friends to recollect that there are great difficulties to be encountered in disturbing existing arrangements, and we ought to make allowances for those difficulties. I have, therefore, to state that the Government concur in the opinion which the right hon. Gentleman expressed in 1866, and that the number of additional Members to be given to Scotland should be seven. That being so, the next question to be decided is, from what source are those seven Members to be supplied? We have no seats vacant at present, and there are none to be taken from the existing constituencies of Scotland. Last Session, before the Scotch Bill was brought into the House, questions were put to the Chancellor of the Exchequer asking from what source these additional Members were to be obtained; and the answers, I think, indicated in sufficiently intelligible terms that they were to be procured by the creation of additional seats under the Bill. All doubts regarding the matter were, however, set at rest by the question being formally put by the right hon. Gentleman the Member for South Lancashire to the Chancellor of the Exchequer, upon the Motion for leave to bring in a Bill on the 13th of May last. The question was put directly, whether it was intended to add to the numbers of the House with a view to the supplying of these seven seats to Scotland; and the answer in substance was that such was the manner in which the seats were to be supplied. This proceeding took place before the Committee of the House had taken into consideration the question of the distribution of the English seats; but no indication was then, or thereafter, at any stage of the English Bill given that it was not the proper or right way of obtaining additional seats for Scotland; or that there must be set apart for Scotland, out of those seats which were abolished under the provisions of the English Bill, a sufficient number to provide for the claims of Scotland. Ample time and opportunity were given for the adoption of either of these courses; but neither of them was taken. The result was that the House appropriated these vacant seats in England towards supplying the claims of such English cities and towns which either were to get a representation for the first time, or to which additional representatives were to be given. The Government adhere to the opinions which they expressed last year; and as we have no other way of satisfying the claims of Scotland, they will ask the House to add to its own numbers. This must be done if we are to satisfy the just—the clearly just, and I think very moderate—claims of Scotland. It must be kept in view that, while the proposition was made in 1860, and again in 1866, to add to the number of Scotch Members, by diminishing the number of English Members, neither of these Bills reached the stage when the opinion of the House could be taken upon that matter. I think there is nothing in the way of principle which will prevent the House from entertaining this question. It is one of policy and convenience; and I venture to think that the just claims of Scotland ought to be recognized in the manner proposed by the Government. The next question, then, which we have to bring under the consideration of the House is, in what manner are these seven Members to be distributed? As was explained by the Chancellor of the Exchequer, when he introduced the Scotch Bill last year, the Scotch Universities, in 1858, obtained a constitution which put them in the position of having an excellent constituency for the purpose of electing Members of Parliament. He, accordingly, last year proposed, and it is intended to carry out the proposition in the present Bill, to give two Members to the Universities of Scotland. That proposal, I think, met with very general approval, and I expect that a similar reception will attend the same proposal which I again make. Two Members being given to the Universities, five Members remain to be disposed of. What is now proposed, as was done in the Bill of last year, is that three of these should be given to very large and populous counties. The population of Lanarkshire, exclusive of boroughs, is 199,983; the population of Ayrshire, 150,719; and the population of Aberdeenshire, 137,135. I may, perhaps, here mention the relative amount of the county and borough population of the whole of Scotland. By the Census of 1861 the population of the boroughs was 1,244,106; that of the counties, exclusive of Parliamentary boroughs, was 1,818,188; the excess of county population thus being 574,082. The annual value of real property in the counties is £8,700,000; the annual value of real property in the boroughs is only £4,700,000; the excess in the county valuation being thus £4,000,000, Looking to this state of matters, it has occurred to us that it is right to recognize the claims of these large counties, which are very populous and also of very great extent. This leaves only for consideration what is to be done with the two remaining Members. As regards one of those Members, there can be no doubt that it ought to be given to Glasgow, which is very wealthy and populous, is the third city in the Empire, and is quite entitled to have another Member. Paying respect to the decision of the House arrived at last year, we propose to give a third Member to Glasgow on the same footing as the third Member was given to each of Liverpool, Birmingham, and Manchester. There still, however, remains one seat to be disposed of, and I shall explain how we propose to dispose of this. There are certain unrepresented towns or populous places, whose claims require to be considered; but, before proceeding to consider them, I would ask the House to look at what was done in 1832. In that year thirteen new towns were made Parliamentary boroughs, four of which were large towns, including Paisley and Greenock, to each of which a Member was given. There were others, too—namely, Leith and Kilmarnock, of sufficient size to justify their being placed in a new group, or included in some existing group. I crave the House to attend to the population of the other nine boroughs which were then created Parliamentary boroughs, and to compare what was done in 1832 with what we now propose by the present Bill. I may state that there is a difficulty in arriving at an exact computation of the population of places in 1831, because the Census of that year did not always disinguish the landward part of a parish from the village portion. According, however, to the best means at my disposal, the following was the population of the nine boroughs to which I have referred:—In 1831, Airdrie had a population of 6,954; but it is now 12,922. Of Falkirk I was unable to ascertain the population in 1831, but it is now 9,000. Hamilton, I believe, would have a population of some 6,000 in 1831, which has increased to 10,688, exclusive of the landward portion of the parish. Musselburgh and Fisherrow, I presume, had a population of about 6,000 also in 1831; but it is now 7,423. Peterhead had a population of 5,112 in 1831, which has now risen to 7,541. Port Glasgow has during the same period increased from 5,192 to 7,214. Portobello has increased from 2,781 to 4,366. I have not the population of Oban in 1831; but it is now 1,940. Cromarty had a population of 2,215 in 1831, but I rather think it has diminished since then. The House will observe that nine of the seats given under the Reform Bill of 1832, dealt with Parliamentary boroughs which had no right previously to return Members to Parliament. Of these nine, there were undoubtedly four or five which had a population of less than 6,000, two of them in fact being as low as 2,000. It is not proposed to go so far down by the Bill which I now ask leave to bring in; but it is proposed that manufacturing and other trading towns having a population of about 6,000 should become boroughs, which should contribute to send Members to Parliament. Let it not be supposed that this is what is called eliminating all the small villages and towns in Scotland. There are a great number of these in Scotland. From the Census of 1861 I find that there are seventy-eight non-Parliamentary towns above 2,000 inhabitants. We only propose to deal with a few of these. There are what are called in the Returns of 1861, villages and towns of between 2,000 and 300 to the number of 529, and these, of course, are not proposed to be touched. Therefore villages and small towns are affected to a very small extent by the provisions of this Bill. The towns to which I have to refer, as proposed to be made Parliamentary boroughs, are the following:—Ardrossan, having a population of 7,674, and having magistrates appointed under the General Police Act of 1862, and under local Acts; Coatbridge, which, according to the Census of 1861, had a population of 10,501, and I am informed that, when it was proposed to put it under the Police Act of 1862, the sheriff defined the boundaries of the borough, and these were approved of by the then Secretary of State, including a population of about 22,000; Wishaw, which in 1861 had a population of 6,112, but is now increased to about 12,000; Barrhead, with a population of 6,018; Johnstone, with a population of 6,404; Helensburgh, with a population of about 6,000; Kirkintilloch, with a population of 6,090; and Pollockshaws, with a population of 7,600 in 1861, but now about 9,000. These places contained a population of about 56,353, according to the Census of 1861; but there has been a great increase since that time, amounting to about 18,000, and the population is brought up to about 74,000. It is proposed that these boroughs, which are all in Lanarkshire, Renfrewshire, and Dumbartonshire—contiguous counties—should constitute a group of boroughs to which one Member should be given ["Oh, oh!"] which is the proposition which I have to submit to the House, and I venture to think that the more it is examined, the more reasonable it will seem, and that after it has received fair discussion, it will meet the approval of the House. There are some other boroughs, of a similar character, which are proposed to be dealt with. First, Hawick, which had a population in 1861 of 8,191, and has now an estimated population of 11,452; Galashiels, which in 1841 had a population of 1,600, but by the last Census had a population of 6,433, and which has since increased to about 8,000. It is the anxious desire of these boroughs that they should be made into a group by themselves; but we have not the means of meeting that wish, and the only thing that can be done is to add them to the Haddington district, which is not an increasing district, and has at present only a population of about 13,000. Then there is Alloa, a shipping port, and under municipal government, which, by the Census of 1861, had a population of 6,425. It is proposed that this borough should be added to the Stirling district. Unless the distinction between the urban and county districts is to be totally ignored, I venture to think that these propositions are founded in reason and good sense; because you must make allowance for the increase of the urban element from time to time; and the way in which that can be done is either by giving additional representation to those places which have increased so much in population, or by adding them to existing groups. There is no doubt that between 1832 and 1868—a period which represents almost a generation, but in point of progress a much larger period—there has been a very large increase of the urban population in these districts. In 1832 the claims of such places to representation as urban constituencies were recognized, as I have shown, to a greater extent than is proposed by the present Bill. When these propositions have been carefully considered I believe they will meet with the approval of the House; and I therefore now move for leave to bring in a Bill to amend the Representation of the People in Scotland.

Mr. BAXTER said, that he had listened with great attention to the clear and lucid statement of the learned Lord, who, however, had said little about the borough franchise, and whose example he (Mr. Baxter) should follow, because whatever diversity of sentiment might formerly have existed as to the point to which the electoral franchise in boroughs in Scotland should be lowered, it was obvious that they must follow the example of England, and heartily welcome household suffrage. Last Session, it would be remembered, a proposition that the qualification in counties should consist partly of a house, was only rejected by the narrowest possible majority, after two divisions, in a very full House. He admitted the force of the argument, that in the great and populous counties of England this probably was a matter of minor consequence; but in the small, sparsely populated counties in Scotland, it was a matter of the utmost importance, because if the qualification was to consist simply of land, it would be in the power of one or two landed proprietors, and in some cases of one, virtually to command the whole representation by the creation of fifty, sixty, or 100 faggot votes; and he hoped the hon. Member for Lanarkshire (Sir Edward Colebrooke) would again turn his attention to this matter, and take the sense of the House upon it. He had not risen, however, for the purpose of referring to the principles or details of this Bill; but he must say a word with regard to the scheme for re-distribution, which was far worse than he could have anticipated. He did not expect that Government would be disposed to take no fewer than eight towns out of the counties of Renfrew, Ayr, Lanark, and Dumbarton, for the purpose of creating a new constituency in the West; and he was astonished that in a scheme like this the Lord Advocate had overlooked the claims of the large and important manufacturing towns, like Dundee. Did the learned Lord know there was no such instance of increase in the United Kingdom as in the case of Dundee? There were towns in the county of Forfar, large, wealthy, and rapidly increasing in population, and yet they were not to have any additional Members, but were all to be handed over to the counties, although the representation of counties in Scotland at present was in excess of what it ought to be in comparison with the boroughs. But his object in rising was altogether apart from details like these. He considered it his duty, to take the earliest opportunity of entering his protest against any scheme whatever for adding to the number of Members of that House. No one who had looked into the facts and figures of the case would for an instant dispute the claim of Scotland to a large additional representation; but if they compared England and Scotland—taking, for example, the basis of taxation and population — they would find that Scotland was entitled to twenty-five additional representatives. But he had no hesitation in saying that, rather than accept these seven seats at the heavy expense of adding to the number of the House, he should be content to defer the claims of Scotland to the wisdom and justice of the reformed Parliament, before which this question of re-distribution must come for further discussion. The House was too numerous already. It was more numerous than any existing legislative assembly in the world; and the only reason he had ever heard for retaining so many as 658 was for the transaction of the Committee business. But this Session the Government had introduced a Bill for doing away with Election Committees, and two or three years ago a Court of Referees was established, diminishing greatly the duties of Members; and the Chairman of Ways and Means had given notice for to-morrow of a Resolution which, if passed, would still further diminish the Private Business, and every one looked forward to the time when that business would be in a great measure transacted by a separate tribunal. If they were to take such an important step as to add to the number of Members in the interest of Scotland, why, in common fairness and justice, could they refuse the same in the interest of the County Palatine of Lancaster, or of this vast metropolis, both of which had, he admitted, greater claims than Scotland? Scotchmen did not come to the House *in formâ pauperis.* All they asked was to be treated as an integral portion of the United Kingdom, precisely in the same manner as their neighbours on this side of the Tweed. Their demand was not for additional Members for Scotland, *qua* Scotland; but that all those great manufacturing constituencies which were ignored in the Bills of the Government, and which were not provided for in the Bill of last year, should receive their due meed of representation at the hands of the House. He disliked and deprecated more than he could express the perpetuation of the difference between the two countries, which had existed harmoniously together under the same Sovereign for so many centuries, and he thought there ought to be a great deal more assimilation in their legislation than had hitherto been the case. This matter of re-distribution ought never to be treated in separate Bills; but there ought to be one great measure for the United Kingdom. In 1859 he called attention to this matter, and the difficulty, or scrape he might call it, they had now got into showed the wisdom of the opinion he had then expressed. Although he was quite willing to wait for a reformed Parliament rather than accept these seven miserable Members, at the expense of adding to the Members of the House, let it be remembered that they were not bound to adopt either of those alternatives. It was perfectly open to the House to instruct the Committee on the Bill to provide for the necessary and just increase of the representation of Scotland, by equalizing to a greater extent the borough representation throughout the United Kingdom. Only last Session, by a majority of no fewer than 127, at the instance of the Member for Wick (Mr. Laing), the House took away the second Member from English boroughs between 8,000 and 10,000, and if they did the same in boroughs between 10,000 and 12,000 they would gain twelve seats. But there was still another course open to them. They might take away altogether representation from the ten or twelve very small boroughs of under 5,000 inhabitants, which were not at all in the position of boroughs in the West of Scotland, but were small, wretched, decaying villages, which were not at all likely to be spared by a reformed Parliament. He should be glad if, after hearing the opinions of Scotch Members on the subject, the Government would adopt one of these courses; but he entreated the House not for a moment to listen to the proposition to increase its numbers, and he felt satisfied that the people of Scotland, no less than the people of England, would support their representatives in opposing such a scheme.

MR. SMOLLETT said, he had not intended when he entered the House on that evening to take any part in debate, and he should confine his observations on this occasion to the proposal to increase the number of Members of that House, in order to give seven additional Members to Scotland. For sometime past a small agitation had been going on in Scotland on this subject. Originally a demand was made for twenty-five additional Members, but now it was stated that Scotland would be content with fifteen. The movement—he would not call it an agitation—was not got up in any influential quarter in Scotland. It had been originally brought about by Town Councillors in boroughs, and mainly by the corporation and Town Council of Edinburgh, and that, probably, was the reason why it was not taken up warmly in other quarters. But from whatever source the movement arose, it expressed in the main the opinion of the middle-class constituency in Scotland. The demand in itself was just and reasonable, provided the House was to contain 658 Members, or provided the number was to be increased. It was a just demand, considering the population and wealth of Scotland, the great revenue Scotland contributed to the Exchequer, and the very small demand she made upon the Consolidated Fund for establishments to maintain order and tranquillity in that part of the Kingdom. Scotchmen, though rough in manner and somewhat democratic in their political opinions—especially in the towns—were an educated people, and a loyal people. Nobody in Scotland considered that those who defied the law and murdered the Queen's officers in the execution of their duty were either martyrs or patriots. There was a very simple way of doing Scotland justice in this particular, if it suited the convenience of Ministers to humour men who were so contented and so phlegmatic. That way, of course, was to have reduced largely the number of English and Irish representatives without unduly increasing the Members for Scotland. And there was a great precedent in the Bill of 1831, brought in under the auspices of Earl Grey's Administration, and proposed to the House of Commons by Lord John Russell, for this reduction. That Bill proposed to reduce the number of English Members by no less than forty, and to diminish the number of seats absolutely by thirty; and that was not thought a revolutionary proposal, but received an enormous amount of support in an unreformed House of Commons. The only objection to it, in his opinion, was, that it did not go far enough. No proposal of that sort was made now. Last year they proposed a Bill which continued to England the same number of Members it had previously. When they had seats to give away, they heaped them cumulatively upon large towns, giving them triangular Members to be returned in some fantastic manner. Nobody now proposed to reduce the number of Members for Ireland, which might well be done, for 2,500,000 at least of the resident population had disappeared since 1832—not that the whole had been lost, for in truth at least 1,000,000 of Irishmen were to be found in Great Britain doing hard work, and being well paid for it. There were abundant reasons for reducing the representation in Ireland. There were a great many small towns in Ireland with very few inhabitants, and still fewer voters, which might well be disfranchised; towns like Mallow, Athlone, Portarlington, and others, all represented by Liberal Members, Gentlemen who would have been most ready to sacrifice themselves, if called upon, to do so, in a Ministerial measure. But he should like to see the Leaders of either side come forward with a proposition to reduce the number of Members for Ireland. They all knew that when any jobbery was to be proposed, the Leaders of both sides vied with each other in making delusive offers to Irishmen in order to obtain what they called the Ultramontane vote. In proposing a Reform Bill applicable to the three Kingdoms, instead of the Leader of the House coming forward with twelve distinct proposals which meant nothing, he ought to have brought forward two or three positive Resolutions, the first of which should have been, "What is to be the number of representatives this regenerated House of Commons is to contain?" and next "What proportion of Members shall be sent to the new House of Commons from each of the three parts of the Kingdom?" Nothing of the sort had been done, and they were now approaching a squabble or a faction fight over these miserable seven Scotch Members, the note of preparation for which was sounded about two months ago by the right hon. Member for South Lancashire in his progress through the Palatinate. He stated that he would reopen the whole distribution question. The same note was followed by the senior Member for Edinburgh, who, in a letter addressed to the Lord Provost, hinted that he would follow the same course; and the junior Member for Edinburgh, at a meeting at the Music-hall not very long ago, said that rather than accept the seven Members, he would have none at all. He (Mr. Smollett) should not follow this "dog-in-the-manger" course. He should accept the seven Members, on the principle that "half a loaf is better than no bread," and he would advise other Members for Scotland to follow his moderate course. He believed, now that they had taken household suffrage as the basis of representation, that the country at large wanted to see no more "faction fights" over the question. He thought that they ought to allow the Bill to pass with as much celerity as the forms of the House would allow; for he thought that those Members must have curious minds who could look back to the faction fights of 1866 and 1867 with feelings of either pride or satisfaction.

SIR JOHN OGILVY expressed his disappointment, and that of his constituents, that Dundee was not to have two Members, and in Committee he gave notice that he would propose that a second Member should be given to Dundee.

MR. LAING said, he would not have addressed the House on this occasion but for a fear that the speech of the hon. Member (Mr. Baxter) might, standing alone, give rise to an erroneous impression that the Scotch Members were prepared to see the Bill pass without a change in the existing number of seats for that country. He believed every Member must feel that the practical question was whether there should be an increase in the number of Members in the House as the means of procuring an increase in the number of Members for Scotland. His hon. Friend referred to him as having brought forward a Motion, which was passed by a large majority last Session, taking away a Member from the very small boroughs, and he pointed to that as showing the easy mode of obtaining Members for Scotland without increasing the numbers of the House. Now, although his (Mr. Laing's) Motion for partial disfranchisement in England was carried by a considerable majority last year, yet the experience which he gained in bringing it forward convinced him of the utter hopelessness of any attempt in the present Session to re-open the subject of the redistribution of seats in England. It was perfectly out of the question to suppose that in the last Session of an expiring Parliament the whole of that large subject, which was settled with such extreme difficulty last Session, could be revived and dealt with on first principles. Practically, therefore, the question was, "Shall Scotland accept the instalment of justice proposed by the Bill of the right hon. Gentleman, or are we to wait indefinitely until some new scheme of radical reform is proposed and there is a complete revision of the whole system of representation throughout the United Kingdom?" Now, he was not willing to postpone the admittedly just claims of Scotland to any such remote and indefinite period. It was certainly most important not to keep up this international contest between the three kingdoms with regard to their relative political position. He did not mean to say that the Scotch were going to turn Fenians, or anything of that sort; but it was not desirable that persons north of the Tweed should feel that they were politically inferior to persons living to the south of that river. But such a feeling would be inevitable if, after three successive Administrations had allowed the justice of the claims of Scotland for additional representation, they were to settle the question of Reform for a considerable term of years, leaving such an anomaly, for instance, as that the town of Leeds should return three Members, while Glasgow only had two. Such an anomaly could not fail to create in the minds of all Scotchmen a sense of injustice, which it was most desirable, upon broad, statesmanlike principles, to prevent as much as possible. Now, with respect to the slight increase in the number of Members by which this gross injustice to Scotland might be avoided, he had never been able to see any magical force in the number 658; nor could he admit that, by yielding now to an increase in that number, they disarmed themselves for opposing any future claims to additional representation. Surely, the new House of Commons would have common sense enough to see that there was no parallel between a great settlement of the representation, like those of 1832 and 1867, and the future claim of any town founded upon a certain increase in its population. One practical inconvenience of an increase in the number of Members was very much of their own making, because they had chosen to confine themselves within a chamber which could not accommodate the whole body. That, however, formed no insuperable difficulty, and was not to be set against the necessity of doing justice to one important portion of the United Kingdom. If it should be found hereafter that the number of Members was too large, it would always be in the power of a Reformed Parliament to reduce the number. If anything was to be gained from the Reform Act, it was in the greater energy and vigour of the new House of Commons, and in their resolve to deal with the questions which came before them on broad principles, undeterred by small considerations. Upon the next re-distribution of seats, therefore, the new House of Commons might, if it thought fit, reduce the number of Members; but meanwhile, at any rate, justice would have been done to Scotland. For these reasons he believed that public opinion in Scotland was favourable to the settlement of the question in the present Session. In some respects the details of the Government Bill were faulty. If Dundee and Aberdeen were situated south of the Tweed they would have had two Members, and he thought, therefore, that they ought to have two Members. This, however, was a point of detail. He was prepared to adopt the principle of the Bill and support the second reading, and in Committee he would endeavour so to enlarge the number of seats as to secure a second Member for each of these places.

Mr. MONCREIFF said, he thought his learned Friend had better re-consider the mode in which he proposed to group these new burghs. He did not think it was possible that the House would sanction such a proposition as that he had made that night, and he was more surprised that the proposal should have been made in that form, considering that the Scotch Members last Session indicated pretty plainly to the right hon. Gentleman (the Chancellor of the Exchequer) that the proposal in that Bill—so much less objectionable than the proposal in the present Bill—was one they were not prepared to support, or rather one which they intended to oppose. What was it the Bill proposed to do? It was proposed to take eight burghs and give them one Member amongst them all. In other words, eight burghs were to be taken out of the counties of Ayr, Renfrew, Dumbarton, and Lanark; and Roxburgh and Selkirk would also be affected. Now, he must say, that could not be satisfactory either to the burghs so selected, or to the counties affected. It was hardly giving any additional representation at all, for one Member amongst eight populous towns was really a mockery of representation. So far as individual interests were concerned, of course it was always important that large populous places should be represented by themselves; but nothing could be worse than to weed large and important counties of populous places which were now part of the county constituency. The residents in these burghs were properly a county constituency. Renfrew and Lanark were interested in minerals—that was the interest of the county—and these large populous places make up the staple of the county, and were therefore properly represented by the county Member. He thought his learned Friend had better re-consider the matter, because he was quite certain it would not be approved by that House. In the second place, with regard to the proposed increase, he was glad to find that on neither side of the House was a question raised as to the propriety of the increased representation of Scotland. The claim was a just one, and if considered upon its merits would fairly go beyond the number proposed. He thought the number was considerably within what, if it were at the choice of Scotland, they would desire to have accorded to them. But at the same time he did not wish, any more than his hon. Friend the Member for Montrose (Mr. Baxter), to treat this as a national question—which in truth it was not—he meant in the narrower sense of national, as Scottish as contrasted with Imperial or properly national. It was not a Scottish question. They must look upon it from an Imperial point of view, and they could not expect their Friends the Representatives of England to deal with it in the larger sense if they make it exclusively a question of justice to Scotland. It was justice in the re-distribution of seats throughout the country—justice as regarded the Empire generally; and if they could not maintain it upon that ground, it was not to be maintained upon any other. His hon. Friend the Member for the Wick burghs (Mr. Laing) said, the hon. Member for Montrose (Mr. Baxter) had reduced the question to this:—Were they to gain these additional Members by adding to the number of Members of the House, or were they to pass a Bill this Session which should not add to the representation of Scotland? He (Mr. Moncreiff), however, did not think they were in any such dilemma. At present it it was not necessary, because they refused or declined to add to the Members of this House, that they should pass a Bill this Session which did not increase the representation of Scotland. On the contrary, the means were patent. They had it at their own disposal; it was the easiest thing in the world if they were anxious to use it. At the end of the last Session of Parliament, if he mistook not, the noble Earl (the Earl of Derby), whose illness they all so much deplored, said, in almost the last speech made upon the Reform Bill last Session, that if a well-considered measure of disfranchisement were introduced this Session of Parliament for the purpose of extending still further the disfranchisement of the smaller boroughs, it would receive careful consideration from Her Majesty's Government. Now, he (Mr. Moncreiff) invited them to that careful consideration. Let them give that consideration to the question; and surely it was unreasonable that because they last year stopped short in the work of disfranchisement and re-distribution of English seats, they should be driven to discuss a large and constitutional question like that of adding Members to the House, when it was so easy to obtain them from the only quarter from which they ought to be derived? It was faulty, imperfect husbandry. There were weeds, withered stems or branches—they must lop them off. They were doomed; they could not remain—that was perfectly certain; and were they, because that was not done last time, to neglect the opportunity which this Bill necessarily offered of carrying out the principle and providing for the additional representation which Scotland was entitled to from legitimate sources—namely, by the disfranchisement of the smaller boroughs in England, which, by the common voice, could not by any possibility retain their enfranchisement much longer? Therefore they were not in the dilemma mentioned. To increase the numbers of the House was a serious question. By the Reform Bill of 1832 the Irish and Scotch representation was increased, but not by adding to the Members of the House, which might be made a most dangerous precedent, and be abused for purposes to which it ought never to be applied. As to the borough franchise, they must follow, of course, the example of the English Bill; but he would suggest to his right hon. and learned Friend whether it would not be desirable to omit altogether the rating qualification. It was all very well last Session to maintain personal payment of rates as the groundwork of household suffrage, and to call it a principle, though in his opinion it had nothing of principle about it, and that the personal payment of rates was no more an indication of a man's fitness for the franchise than was any other immaterial fact. But if the right hon. Gentleman were to extend it to Scotland he would throw into confusion the whole system of rating in that country, because the principle upon which rating was based in the two countries was entirely different. Such a qualification, if introduced into Scotland, would be a mere encumbrance, and would produce nothing but inconvenience. There was already such a provision in reference to assessed taxes, but it was found so inconvenient that by common consent it was always put aside. By imposing the necessity of payment of rates they would have below a certain line a fluctuating and corruptible body of electors, the tenants of a few proprietors, who would not have the means of putting themselves on the roll, and would be liable to all those influences which it should be the object of Parliament to exclude. He did not think there would be any difference of opinion among the Scotch Members on that subject, and, notwithstanding the jargon of "the hard and fast line," it would be much better to take £4, or any other figure, and make that the point at which the franchise should be conferred. Another important consideration was this: the registration in Scotland was made out by the valuation-roll. Now, it would be impossible to introduce into the valuation-roll the personal payment of rates, because no man could tell whether the rates were paid or not. The same remark would apply to the county occupation franchise. He entirely agreed with the hon. Member for Montrose about the building clause, and the only further observation he would make was that he hoped his right hon. and learned Friend would take measures to secure that the franchise, when conferred, should be a real, honest, and substantial measure, and not merely a fictitious one. That might be accomplished in many ways by the abolition of joint proprietorship, joint tenancies, life rents, and so on. It was true that no one on either side was entitled to say much about those fictitious votes, as he believed that in former days both parties had made votes in Scotland to a considerable extent. At a subsequent stage of the Bill he should bring before the House the fact that this system which they had considered obsolete had been revived in more than one county within the last two or three years. It was no good reducing the franchise to give an apparently popular aspect to it, and leave it open to the large landed proprietors to import from all parts of Scotland persons who had no connection with the locality, and simply by the payment of £20 or £30, to over-ride the wishes of the resident electors.

Colonel SYKES said, the right hon. Gentleman who introduced this Bill must be aware that there was not a place of any importance in Scotland in which there had not been held meetings to express opinions with regard to additional representation. It had been proved beyond all controversy that, in proportion to the representation of England and Ireland, Scotland was entitled to even more than twenty-five Members. The people of Scotland would therefore regard the present proposition of the Government to give seven Members by increasing the present 658 Members to 665 as simply mockery. In England there were no less than eleven boroughs with a population of less than 5,000, each of which sent a Member to Parliament—namely, Arundel, Ashburton, Dartmouth, Honiton, Lyme Regis, Marlborough, Northallerton, Thetford, Totnes, and Wells; Arundel having only 184 electors, and Ashburton with a maximum of only 450 electors; while in Ireland there were five boroughs with a population under 5,000—namely, Downpatrick, Dungannon, Kinsale, Mallow, and Portarlington, the last with 106 electors only, and Downpatrick with a maximum of 239 electors; but there was not a single borough in Scotland with a population under 10,000 which was allowed to return a Member. Was that justice to Scotland, or even to the people of England itself, or to those of Ireland? Again, were the counties of Bute, Peebles, Selkirk, and Sutherland, with a population varying from 16,000 to 24,000, to continue to send each a Member, when Dundee, with a population of 115,000, and Aberdeen, with a population of 80,000, had only one Member? Common sense, setting aside justice, absolutely repudiated it. He was decidedly opposed to increasing the number of the Members of the House. According to population we had a larger number of representatives than any other country with a representative Government in the world. In the United States, with 36,000,000 of people, only 241 Members were sent to Parliament, or one Member for 124,000 souls. We sent 658, or one Member for 45,000 souls, and now it was proposed to add seven more to the number. France had only 376 Members, or one for 100,000 souls; and the great German Confederation sent only 280 Members to Parliament. So far from increasing the number of Members of the House of Commons, we ought to reduce it; and, in his opinion, 500 Members were the utmost England, Scotland, and Ireland ought to have. He did not hesitate to say that instead of accepting this instalment of seven Members Scotland ought to repudiate the offer, and wait for that general re-distribution of seats in the United Kingdom and Ireland, which could not be far distant and which was inevitable. Scotland would do an injustice to itself by accepting such a proposal, for Scotland was at least entitled to twenty-five additional Members.

Mr. M'LAREN said, that he had recently stated that if Government should bring in a good Bill, giving fifteen Members to Scotland, he for one had no objection to increase the number of seats, because a re-distribution could not be put off for more than two years, and then they could reduce the numbers; but if the Government should bring in a Bill the same in substance as that of last year, then he would much rather have no Bill at all. He thought the Bill as now explained was a little worse than the Bill of last year, and therefore his reason for opposing it was much stronger. He would state why he thought it was worse. He found that eight towns, containing 56,000 inhabitants, not now burghs, were to be formed into one group, while the Bill of last year provided for their distribution into three groups of burghs. It would be a monstrous piece of injustice to take these towns altogether out of the counties, to destroy their vitality and their strength—that part in which the Liberal element was most thoroughly developed. With regard to these counties he held that the injury that would be done would be far greater than the benefit that would accrue, and, therefore, of this part of the scheme he heartily disapproved. They were asking nothing peculiar for Scotland. He found that there were about ninety towns in England, containing upwards of 6,000 inhabitants. Why did they not take those ninety towns and group them, and give one Member to each group of eight? Such a thing could not be proposed for England. In resisting that proposal they were asking nothing that could be called justice to Scotland. The Government were trying to do that in Scotland which they dared not attempt in England. And then with regard to Glasgow—it was to have an additional Member, but the electors were to have the privilege of voting for only two Members of Parliament—or, in other words, Glasgow would return two Liberals and one Conservative—and in voting in this House, Glasgow would be worse off than she was now. Therefore, no good would be done to

Glasgow, but rather an injury. A much better course, where a town had three Members, would be to divide it into three Parliamentary sections or wards, each returning one Member; for all parties would thus be fairly represented and great expense would be avoided. The present plan was an injury and not a benefit. Glasgow had a population of 450,000. It was equal to Berlin, which returned nine Members to Parliament, and yet the Parliament of Prussia was only one-half the size of theirs. The Prussians had the idea that every 50,000 persons should have a Member, and thus Berlin obtained nine. In regard to the other parts of the Bill, there were to be two Members for the Universities of Scotland. In England, out of 500 Members, they had four University Members, and now they were to give one to London University—that was one to every 100. But if they gave Scotland two Members for the Universities, it would be one for every thirty Scotch Members of Parliament. Every argument that was used in favour of treating Scotland differently from England was obsolete. Oxford University was in effect a town where large numbers resided, with very large property, and was entitled to a Member; but that was not the case with the University of Edinburgh. One graduate, the librarian, lived in it; every other professor and graduate resided in the town, and had a vote in the town. If he understood matters with relation to Oxford, there was a City line drawn, and the members outside that line and within the University had no vote for the City Member. One of the two Members proposed to be given to the Scotch Universities should be given to Dundee, Aberdeen, or some other large constituency. It was proposed to add Alloa to the Stirling burghs. Stirling itself contained a thriving population of 13,000, and if it were in England it would have two Members. Dunfermline, with a population of 13,000, was at present joined with Stirling. Although each of them should have two Members, they were grouped with other three burghs, and return only one Member amongst them. Alloa was proposed to be added merely to take it out of the county. Nothing could be more unjust than this proposed mode of grouping. In England you did not take a borough of 30,000 and add to it another of 6,000, even, although the larger borough was represented by two Members; and why should this be done in Scotland where only one Member was given? Then with regard to the Haddington burghs, it was composed of a group of five. A Member for that group would have to travel seventy-one miles if he wished to visit his constituents, that being the distance from one end to the other of that group. To this Haddington group, Hawick, with a population of 11,452, was proposed to be added, and also Galashiels, with 8,000. Could anything be more unjust than to swamp Haddington by adding two other towns containing 19,000 inhabitants between them? He did not wish to impute bad motives to the proposers of this system of grouping; but he was entitled to speak of the results which would flow from its adoption. It would make these county constituencies simply nomination constituencies. One half of Galashiels was in the county of Selkirk. That county contained 10,500 inhabitants. Take 3,200, which was that part of the population which belonged to the county of Selkirk out of it, and you reduced the population of that county to 7,000. including the borough of Selkirk which contained a population of 4,000. It was not a borough newly created for any special purpose; it was created by a charter 600 years old. Then, if you took the borough of Selkirk out of that county population of 7,000, there would remain only 3,000 of a rural population, and yet this small county was to return a Member. And that was called an improvement for the benefit of Scotland. He called it a Scottish grievance, which the Scotch Members ought to resist to the uttermost. He did not wish hon. Members to suppose that the borough of Selkirk, when forming part of the county, did not vote for the county. It did so far as the votes of the requisite value in the borough would admit; but it was well known that the rentals were so low that such persons as dissenting ministers or schoolmasters, who occupied houses under £12 rental, had no vote, though their income might range from £100 to £200 a year, while a man who rented a few acres and a cottage, making up a £12 rental, with an income of £50 a year could vote. He objected to the Bill, not because it proposed to add seven Members to the number of representatives for Scotland, but because the distribution of these seven was so bad, that he could not in his conscience support it. It had been said by the hon. Member for Montrose (Mr. Baxter) that the claims of Lancashire and London to increased representation were greater than the claims of Scotland. But even if this were so, Scotland had no little boroughs to disfranchise, whereas in England there was a multitude of small boroughs that ought to be disfranchised, and by that means additional seats could be given to Lancashire and London, if their claims were so great. Ireland also had little boroughs that ought to be disfranchised. It was an entire fallacy to compare the case of Scotland with parts of England in the way the hon. Member had compared them. To compare the two cases fairly you must draw a line across England, so as to include a portion as nearly as possible equal to Scotland, and inquire how many Members that section returned, and compare its population with that of Scotland. He had done that. The eight southern counties of England, including the boroughs, contained a population a little under 3,000,000. The population of Scotland was a little more than 3,000,000. Scotland had fifty-three Members, while these eight southern counties of England had 124 Members before the alteration made by the Bill of last year. By the Act of Union there was to be neither England nor Scotland afterwards. They both formed portions of the United Kingdom of Great Britain; and it was not on the mere ground of justice to Scotland that he objected to this measure. He contended that if twenty little boroughs in England were wholly or partially disfranchised, Scotland had equal claims with Lancashire or London to a portion of the seats taken from those little boroughs. It might be said that the late Government proposed to give only seven additional Members to Scotland. The late Government would have proposed a larger addition if they could have carried it. But the present Government were placed in an entirely different position; they had not to contend against that party spirit which caused the failure of the late Government. The learned Lord Advocate said that the Bill of 1832 created nine new boroughs; but he forgot to say that eight new seats were created for burghs alone. Now it was proposed to create eleven new boroughs, but only two Members would be given to burghs new and old. As to the franchise, he thought rating for the counties was altogether out of the question. As an enlargement of the accommodation in the House was contemplated, he did not think that any inconvenience would be occasioned if fifteen additional Members were given to Scotland. On the average only half of the Members were not present at debates. Even during the excitement about the Reform Bill, he found that during one of the debates the attendance of English, Scotch, and Irish Members only exceeded 100, although on five occasions 500 were present. There was not one occasion on which 600 were present. On twelve occasions upwards of 200 were present. In conclusion, the hon. Gentleman expressed his regret that for the reasons he had stated he could not support the Bill.

SIR EDWARD COLEBROOKE said, he wished to call the attention of the Government to the subject of the boundaries of boroughs. If the Government intended to deal in the present Session with the boundaries of boroughs in England, he claimed the same privilege for Scotland. In that case there should be no decision about the boundaries of Scotch boroughs until the question had been reported upon by a Commission, and their Report had been confirmed by Parliament. Scotland stood, however, in a different position from England in this matter. The existing Parliament was believed to be approaching its close, and it was not within the bounds of probability that a Commission would Report during the present Session. If the Government thought that Scotland ought to stand on the same footing as England, it would be necessary to use the most urgent haste to pass the Bill and appoint the Commission, so that the matter might be settled before the end of the Session. With regard to the question of an increase of the number of Members of that House, he admitted not only the inconvenience of an increase of even seven Members, but also the danger of the precedent. But the increase of Members for Scotland was a question regarding the honour of English Members still more than the prudence or discrimination of the Members for Scotland. After what took place last Session it would be grossly unjust on the part of the English Members to deny the just claims of the Scotch constituencies. The precedent of the increase of the absolute number of Members was not likely to be followed, and the Scotch Members confidently appealed for justice in this matter. Referring to the subject of the new burghs he was surprised to hear the Lord Advocate appeal to the precedent of 1832, for the Scotland of 1868 was totally different from the Scotland of 1832, as could be shown by a glance at the county which he had the honour to represent (Lanarkshire). Without saying anything against the claims of the towns which had been selected for separate representation, he objected to the proposed plan of eliminating certain urban populations from the agricultural districts. What they had to consider was the whole state and condition of Scotland, and not the growth of certain populous towns, and he should reserve his opinion with regard to the claims of Glasgow, Dundee, and Aberdeen until the question came before the Committee. He considered this Bill a departure from the statement contained in the Royal Speech, that there should be an alteration of the suffrage without any attempt to affect the distribution of political power. He held that the principle of Reform adopted for England must be applied in the main to Scotland with regard to the suffrage, but need not be servilely followed, particularly in respect to the county franchise. He wished to state, in answer to the appeal made to him, that it was his intention to endeavour to give to Scotland the benefit of the proposition so nearly carried last Session for English counties against the introduction of a proposition that must have a disfranchising effect to a certain extent. In the small counties of Scotland the manufacture of faggot votes had been recklessly resorted to, and it was well deserving the consideration of the House whether they should not adopt in the counties residence as the test of qualification. There were considerations with regard to the borough franchise in Scotland which ought to make them pause before they adopted a rating franchise as a test even to the extent it was proposed to apply it in England; it was an uncertain test here, and it would be almost valueless in Scotland. The proposition of the hon. and learned Member for Edinburgh was well deserving of consideration, and he asked them whether it was not better to boldly face the difficulty, and draw a low but "hard and fast line" with regard to the boroughs, which they had already adopted with regard to counties? He trusted that Her Majesty's Government would be prepared to modify the objectionable provisions of the Bill, which, if they were allowed to remain, would go far to defeat the just claims of the Scottish people.

SIR JAMES FERGUSSON said, he was not desirous of discussing in detail the merits of the Bill upon its first reading, and he hoped Scotch Members would not commit themselves to a course of action upon it before they had had an opportunity of carefully reading it. It was to be expected that Scotch Members should have an earnest desire for the increased representation of that country, and hon. Members were only doing their duty when they pointed out the claims of their respective constituencies to a larger share of representation. It ought not, however, to be forgotten that the House was now discussing matters which were not even the leading features of the Bill, but which in the measure introduced last year were regarded as small points of detail, and were not, in fact, reached until a late period of the Session. It was not till the summer was far advanced that the House was able last Session to commence the discussion respecting the re-distribution clauses, and it must be most satisfactory to those who desired to see this great question of Parliamentary Reform settled on a sure and permanent basis, and more especially to the Scotch Members on the other side of the House, who had always been desirous for an extension of the franchise, to find that so little remained to be done that the present discussion had been confined to matters of secondary importance. For, in point of fact, hardly a word had been said on the present occasion with regard to the principles of the measure, and in this respect the precedent had been followed which was laid down in reference to the Reform Act of 1867. The great extension of the franchise founded upon the rating principle had been accepted gladly by the hon. Gentlemen who had addressed the House, and he might venture to say, without fear of contradiction, that every one who knew what the Scottish working men were, would feel assured that the great privilege about to be extended to them would be exercised with purity and intelligence. There was, he believed, much interest felt in the towns of Scotland concerning the great extension of the suffrage which was about to be made, and, indeed, they were much more alive to the great privilege about to be conferred upon them than the corresponding class in England. It was well known that education was of much older standing in Scotland than in England, and it might, therefore, be naturally expected that there would be found in the large number of persons enfranchised by the Bill an advanced stage of preparation for the enjoyment of the privileges. His hon. Friend the Member for Montrose was so opposed to the proposal for an increase of the Members of the House that he would even postpone any degree of satisfaction of the claims of Scotland for increased representation rather than admit the principle which he deemed so objectionable. He could not, however, believe that the hon. Gentleman would be supported in his views by any large section of the Members for Scotland. He was aware that right hon. Gentlemen holding the highest position on the other side of the House had pronounced against this feature of the scheme; but he also remembered that those Gentlemen were equally opposed to the leading features of last year's Reform Bill, which was now the law of the land. On closer inspection this would not, in his opinion, be regarded as a question of first-rate importance, for the number of the Members of the House was due in reality to merely accidental circumstances, and when it had been increased regard had been shown to the constituencies and not to any perfect number. It was evident that in no other way but by increasing the number of Members in the House could provision have been made for the due representation of Scotland. Of course, it was easy to say now that it would have been more easy to have taken away more Members from small English boroughs; but hon. Gentlemen must well remember how greatly the English Bill of last Session was endangered by Members on the other side of the House endeavouring to increase the measure of disfranchisement. It was a matter of compromise, and he hoped that the Scotch Members would not fly in the face of the English Members and create an opposition to the just claims of Scotland to increased representation; for call it provincialism or anything else, there was certainly a feeling amongst the English people and their representatives that England was a distinct division of the country, and they would oppose to the utmost any attempt to diminish its representation. For while he agreed with those who were of opinion that Scotland must be considered as one with England with regard to privileges, as she was in ardent loyalty and prominent in her support of the good government of the country, he could not shut his eyes to the fact that this part of the question was surrounded with difficulty; and he regretted that those who ought to be banded together to obtain as great an increase of representation as possible for their country should, by hasty declamations of the kind made by the hon. Member for Montrose, lessen the chances of getting some instalment of additional representation. As to the new boroughs, he was afraid there had been too much argument in a party spirit, and too little regard to the claims of those who desired to be enfranchised. He hoped that we were on the point of settling the Reform question for a considerable number of years—he hoped for a generation at least. Now was it reasonable that these places, some of which had risen within the last few years from unimportant towns to a most thriving and properous condition, and had become great centres of industry and trade, should remain without distinct representation for half a century longer? It was evident that the towns which his right hon. Friend had named this evening could not long remain mere open villages. He did not think it could be said that in regard to the county which he had the honour to represent an attempt had been made to eliminate the thriving urban population, for out of a population of 198,000, it was only proposed to take one town, a rising seaport of 7,000 inhabitants. He could not think that the bone and sinew of his county was likely to be destroyed by such a process. With regard to the group of towns in the Clyde district, nobody knew better than the hon. Baronet who last spoke, how vastly they had increased in population and wealth since the year 1832. Those who talked of taking out of the counties the towns, which at present bore a share in returning Members to Parliament as open towns or large villages, ought not to forget the claims of the working men of those towns to share in the enjoyment of the borough franchise; and he could assure the House that the Scotch working men really look upon the enjoyment of the franchise as a privilege. It was on behalf of the inhabitants of those towns, and the right of these men to share in the electoral privileges, that these towns had claims to separate representation. He ought to point out that his right hon. Friend was misunderstood in what he said respecting Ardrossan, for it was now proposed, as in the Bill of last year, to include it in the Ayr district of boroughs, so that there would only be in the group boroughs very homogeneous, and within a comparatively easy distance of one another. And if it were urged, as had been urged by the hon. Member for Edinburgh, that the plan was less than that of last year, inasmuch as some of these groups would be interlaced with each other, he would remind the hon. Gentleman that objections were raised last year to any disseverance of the boroughs which had been so happily united since 1832, and some of them from a much earlier date. In consequence of those objections an alteration had been made in the Bill. Now, if this plan and the other were objected to, how were these boroughs to secure representation? [Mr. M'LAREN: By increasing the number of Members.] The hon. Member must be well aware that he had no wish to throw any obstacle in the way of settling the question of Scotch Reform. He hoped, notwithstanding the objections which hon. Members from Scotland had offered to the measure, that it would be received by the House as a fair, just, and liberal measure for the improvement of the representation of that country.

MR. GRAHAM protested very earnestly against one principle which seemed to lie at the bottom of much of that Bill—namely, the principle of the representation of minorities. Of the seven new Members proposed to be given to Scotland, six were intended to represent a minority of opinion in the country. In his own constituency (Glasgow) the greatest repugnance was felt to what the hon. Member for Dumbartonshire described as "the triangles,"—a thing which they did not deserve. Almost the entire community there, he thought, would rather not have an additional Member, than have one given in that way. The proposition made by the Chancellor of the Exchequer last year for dividing the constituency into two parts, objectionable as it might be, would be preferable to the present one. They were a very happy constituency, and could get on without quarrelling. They would only cause bad feeling by the application of this principle to the constituency he represented. Instead of the question of Reform being settled for a generation, as the hon. Baronet who spoke last had just expressed a hope that it might, it could never be settled for any length of time, unless the re-distribution was based upon juster principles than those embodied in that Bill.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I believe that among the foremost qualities of Scottish Gentlemen we always recognize that of caution. I was surprised, therefore, that one of those Gentlemen who addressed us early in the evening should have declared that he was going to oppose, and that he must oppose, the Bill to be brought forward by my right hon. and learned Friend the Lord Advocate. For what is that Bill? It is a Bill which proposes the largest, the most extensive increase of the constituency of Scotland which ever was presented to the consideration of this House. At no time and under no circumstances has so munificent an offer with respect to the franchise been submitted to the consideration of Parliament. Indeed, it is so extensive that we have heard from several Gentlemen, who are recognized as Liberal authorities, a fear lest we should have passed a line which, even with their advanced opinions, they were prepared to adopt. The hon. Member for Montrose, who said he was going to oppose this measure, argued the question of the re-distribution of seats. Well, I say that is an important and interesting portion of the Bill, but it is by no means the most important one. Are we to understand that a Gentleman sitting on the other side of the House, and distinguished for the liberality of his opinions on all political topics, merely because of a question on which we all agree that there must be very great controversy and difference of views — namely, the re-distribution of seats, which must necessarily, with our limited materials, be very confined—are we to understand that he will resist a Bill which proposes such a large extension of the franchise to every section of his fellow-countrymen? I cannot believe that when this measure comes to be discussed upon the second reading — the proper time for entering upon its merits—any Member for Scotland, and especially one who sits on the other side of the House, can oppose it at that stage upon grounds which are drawn only from a portion of the measure which is comparatively of secondary importance. The great principle of the Bill which we are asking leave to introduce to-night is the extension of the franchise. As far as the distribution of seats is concerned, the only principle at all involved in that part of the measure is the principle that the representation of Scotland shall be increased. I cannot understand how an hon. Member advocating Liberal opinions can make up his mind to oppose a Bill which gives a greater extension of the franchise in the first place, and which lays down the principle in the second place that the representation of Scotland should be increased. Because, really, as to the mode in which that distribution should be made, that is a matter of detail—a matter for Committee. If hon. Gentlemen opposite can propose measures connected with the distribution of seats within the limits upon which the House, after fair discussion, shall have decided, and which, in their opinion, may be more calculated than ours to give vigour, efficiency, and completeness to the representation of Scotland, we are perfectly ready to listen to their arguments, and if we find them unanswerable, to yield to them. We have no interest whatever in the propositions which we have made for the distribution of seats. I mean no personal or party interest. They are propositions that we have made because, upon the information that has reached us, we believe they are those which, upon the whole, will give most satisfaction to the people of Scotland and their representatives in this House. The hon. Gentleman who last addressed us says he prefers the proposition which I made for the representation of Glasgow last year to that contained in this Bill. Well, the hon. Member when we get into Committee—the proper opportunity for the purpose—can place his view of that question before us. If the House should then be of opinion that the proposition which I made last year is more agreeable to them than the one that is included in the present measure, that is a matter on which the Committee would have a fair right to exercise its judgment. I need not express what my own opinion is on the question of a representation in which there are three Members involved. I opposed that principle when it was first introduced to us; but the voice of Parliament, as expressed by both Chambers in an unmistakable manner, decided in favour of that principle, and that principle having been adopted in the English measure, it would be most inconsistent and scarcely respectful to this House, or to Scotland, to ignore it in this Bill. Propose the other principle, bring forward your arguments and appeal to the sense of the Committee, and if you have a triumphant majority in favour of a representative for Glasgow upon the principle that you advocate, I cannot doubt that the decision of the Committee will govern the conduct of any men who may sit on the Benches which we now occupy. Therefore it is—I will not say perfectly absurd, because the epithet might be mistaken; but it is most dangerous when we are approaching a question that, like the present, is essentially practical—a question on which we are trying, I may say, by hook or by crook, to accomplish one of the most difficult things in the world—namely, to increase the representation of Scotland—a point on which, I apprehend, we are all agreed—it is, I say, most dangerous to meet us with all those magniloquent and abstract objections which have been raised by some Gentlemen to-night. It is very well to lay down the axiom that in political matters there is, or should be, no difference between England, Scotland, and Ireland. Well as far as concerns the application of the great principles of political justice to every part of Her Majesty's dominions, I am in favour of an equal application of them. But, however we may argue, whatever may be the abstractions in which we may find it convenient to take refuge, still in addressing ourselves to the management of a limited and essentially practical question, there is a difference between England and Scotland, and between Scotland and Ireland, and there ever will be a difference. There will ever be a difference between—and probably it is most fortunate that there is a distinctive character in each of the three kingdoms, for it is, perhaps, by the very blending of these different characteristics that we have become a great nation. Well, then, when you come to consider the representation of England you must look a little at the history of that representation. It has gradually grown up and accumulated in the course of centuries, and it has been formed and moulded by a variety of influences which no wise statesman would endeavour to contend against. I do not ask the House, by acceding to the proposition that we make, to agree that the distribution of seats in England is abstractedly a wise, a complete, or a satisfactory distribution. Let every Gentlemen have upon that the opinion which is most agreeable to his reason. But the representation of England, as now fixed at 500 Members, is, I think, not disproportionate with the aggregate of the property or the population of this country. You must remember that. It is the consideration which must ultimately govern these questions. We know from our own experience that there are, at times, considerable alterations taking place in the mode in which the population of this country is distributed and its wealth located; and, no doubt, periodically you will be called upon to re-consider the representation of England. When, therefore, new towns have again risen in this country with large populations from the creation and sudden development of new industries, and when the population of great English counties has again doubled, as we have seen it do in several recent instances, where are we to obtain the representation for the new constituencies which ought to be formed if we do not re-distribute, in a certain degree, the representation which we at present possess? This conviction is well impressed on the minds of all English Members, on whatever side of the House they may sit; and although they may agree with you, the Scotch Members, on some Motion to disfranchise a particular class of boroughs, because its population does not exceed a certain number, or because they are represented in this House by two Members when they might be represented by only one, the moment they disfranchise those boroughs, if they assent to doing it, they will naturally apply the seats thus obtained to the increased representation of those parts of the kingdom to which I have referred. The consequence will be that you will find in the long run the representation of Scotland will not be increased. It is very well for you to find consolation in the belief of the justice of the reformed Parliament; but, in my opinion, if you can carry a temperate measure in the present Session of Parliament to increase substantially the representation of Scotland, you ought not to be running after such Jack-o'-Lanterns as have been indicated to you this evening. There is another reason why the Scotch Members would find great resistance in any attempt at disturbing the re-distribution of seats decided upon by Parliament in 1867. The very feeling which exists among Members of this House, and particularly among Members on the other side, that there is no immediate necessity for altering the arrangement of seats in this country, because there are not places of great importance the claims of which are at this moment urgent, will make those hon. Members careful not to part with the amount of representation which England now has, because they know that the time will come when new places, which will hereafter become important, must be considered with a view to representation, and that there will be no seats to fall back upon if they yield any now. I hope, therefore, that the House generally, but especially the hon. Members who represent Scotland, will be cautious in the line they take in respect of this measure. I do not on this occasion ask any one to pledge himself to a particular course. I only ask the Scotch Members to read and consider the Bill brought in by the Lord Advocate. I believe that when they have done so they will arrive at the conclusion that, as far as possible, we have framed it with a view to the advantage of the country which they represent. The hon. Member opposite (Mr. M'Laren) attacked the Government because we propose so large a representation for the University of Scotland. We have no personal or party interest in that proposition. We believed we were making a proposition which would be acceptable to the House and to the country, and that a constituency of educated and learned men would send to Parliament representatives who, even though they might be opposed to the Government, would do honour to the House. The means we have of increasing the representation are, we admit, limited. We are perfectly ready to consider the opinion of the Committee on the Bill. Any decision of the Committee, as to the mode of distribution — any other mode that may be proposed, either in respect of the city of Glasgow or of the Universities, we shall consider but with one desire — namely,—with the limited means at our disposal, to render the representation of Scotland as satisfactory as possible to the people of that part of the United Kingdom.

MR. CRAUFURD said, the right hon. Gentleman the Chancellor of the Exchequer had, with the ingenuity of which he was so great a master, endeavoured entirely to shift the issue raised by his hon. Friend the Member for Montrose. He denied that his hon. Friend had expressed any intention to oppose the passing of the extended franchise proposed by the Bill on account of his objections to the scheme of re-distribution; and the Chancellor of the Exchequer knew very well that his remarks were not justified by anything which fell from the hon. Member. What his hon. Friend said was this—that passing over the question of the franchise, as a matter settled by the English Act of last year, he came to that more important question—the increase of the representation of Scotland; and he told the right hon. Gentleman what the great majority of Scotch Members would tell him—that if they were to have an increase of the representation of Scotland—and the right to such an increase was now fully admitted — they demanded that it should be ample and satisfactory, and based upon just principles, as between one part of the United Kingdom and another; and they would rather abandon their claim than obtain its satisfaction by increasing the numbers of the House. That was the principle upon which his hon. Friend was determined to stand. It was all very well for the Chancellor of the Exchequer to go down to Scotland and tell the people there that if they wanted anything they must take it in the way the Government thought fit to give it them, and that if they were to have increased representation they must support the views of the right hon. Gentleman. But he was convinced that the offer of increased representation was not intended to be real, because it was offered in a manner to which it was known the House would never consent. The hon. Member for Ayrshire (Sir James Fergusson) now said there was no other way of increasing the Scotch representation than by adding to the number of the Members of the House. He entirely objected to the Government plan; but if the number of Members of the House was to be increased, Scotland ought not to be confined to an increase of seven in the number of her representatives; she ought to have an increase of twenty-five. With regard to the franchise, he believed that the proposed system would be so complicated that it would be better to abandon the principle of rating and adopt that of rental, according to the precedent of 1852, when Reform Bills were introduced based on a rating franchise for England and on a rental franchise for Scotland. But if the principle of a rating franchise is to be adhered to in the Bill now proposed for Scotland, he would ask what was to be the basis of the county franchise in the 102 Scotch parishes in which there is at present no legal assessment? Then, on what principle was the grouping of burghs to take place? Was Helensburgh a manufacturing town? Was Ardrossan a manufacturing town? It is evident that the Lord Advocate has never honoured those localities with his presence, or he would never have so described them. And why was Ardrossan to be added to the Ayr district of burghs? when no desire has been expressed by its inhabitants to be separated from the county? Under the provisions of the Bill the constituency in the burgh of Ayr alone would be increased from 700 to nearly 2,000, and it surely would be far more reasonable and just to give a separate representative to that burgh than to add another burgh to the already large and extensive group comprised in the Ayr district. This was not the time for going into the details of the Bill, and he should not do so. He might, however, observe that when his hon. Friend the Member for Ayrshire twitted the Liberal side of the House with the statement that a right hon. Gentleman amongst them had loudly denounced the principles of the English Reform Bill on its first introduction last year; and yet, after all, had accepted that Bill — his hon. Friend must have forgotten that every one almost of the points of that Bill, to which objections were taken by that right hon. Gentleman, were expunged before the Bill passed into law. If his hon. Friend carried out the comparison, he would find that the statement made by those who declined to accept an increase of representation in Scotland, by means of an increase of the Members of the House, would be carried out, and that they would insist on having that increase by means of re-distribution over the entire United Kingdom, or else they would defer having any increase until the reformed Parliament had assembled. He entirely endorsed the opinions expressed by the hon. Member for Montrose, and hoped the Government would carefully re-consider their whole scheme in which were several most objectionable proposals.

Mr. REARDEN said, the hon. Member for Dumbartonshire had accused the Irish Members on both sides of the House of jobbery; but he believed that in matters of jobbery and corruption, the Scotch excelled the rest of the Empire. If they took the contracts that had been issued, the appointments made, and the jobs that had been perpetrated for the last sixty years, they would find from Inverness to the Ganges, and from London to China, three-fourths of them were in the hands of the Scotch. As to jobs, they knew more about them, and were more accustomed to them, than the English, Irish, and Welsh put together. The hon. Member for Dumbartonshire (Mr. Smollett) told them, that seats should be taken from Ireland and given to Scotland because her population was reduced by more than 2,500,000, and the hon. Member went into statistics, to show how far Scotland had increased in wealth and taxable property. He wondered the Scotch came South at all as they were so wealthy; but he (Mr. Rearden) had got statistics too, and if they calculated the millions that had been drained out of Ireland, to absentee landlords, the profits from the monopoly of the manufacturing and trading markets in Ireland, held by English and Scotch traders, and the revenue of Ireland appropriated to Imperial purposes, since the Union, it would be found that England and Scotland had grown rich in taxable wealth by means of the drain from Ireland. They had 300 Members in the Irish House of Commons; 200 were taken from them at the Union, and but 100 had been given to them in this House, fifty-four of whom sat on the Conservative side and represented 8,000,000 Protestants and Ecclesiastical property worth £13,000,000 sterling, which has been plundered from the Roman Catholic Church, while 5,000,000 of Irish Roman Catholics were represented by only fifty-one Members, and found no sympathy in any other section of the House. He had a great objection that Ireland should be Scotch-ridden, and thought that if England was confined to the number of Members to which her population entitles her, the surplus should be included in the additional Members to which Ireland is entitled in proportion to her population with England. The heartless and cold-blooded manner in which the hon. Member for Dumbartonshire had in his speech boasted of the decrease of the population in Ireland, although the result of legislation in which the Scotch took part, excited his astonishment. The hon. Member charged Ireland with disloyalty and her Members in this House with jobbery; but the Irish people were never known to sell their Kings or Queens, or to desert the flag of their Sovereign in the field; this was more than could be said of the people of Scotland, who had sold their King, and on asking a Scotchman why they done so? he replied, because they profited by selling him and saved the expense of his keep. The hon. Member said, in the House to-night that Scotchmen did not job; but they never ceased until they succeeded in jobbing the Queen to Scotland to the serious injury of the trade of the metropolis. He should certainly oppose the second reading of the Bill unless the claims of Ireland to additional Members were conceded. The time, he believed, was not far distant when England of her own accord would be glad to give Ireland liberty of self-government, which alone would cordially unite the two kingdoms.

Motion *agreed to.*

Bill for the amendment of the Representation of the People in Scotland, *ordered* to be brought in by The LORD ADVOCATE, Mr. CHANCELLOR of the EXCHEQUER, and Sir JAMES FERGUSSON.

Bill *presented,* and read the first time. [Bill 29.]

STANDING ORDERS.

Select Committee on Standing Orders *nominated:*—Sir BROOK BRIDGES, Lord JOHN BROWNE, Mr. BONHAM-CARTER, Mr. DUNLOP, Mr. HANKEY, Sir WILLIAM HEATHCOTE, Mr. HENLEY, Lord HOTHAM, Mr. LEFROY, Mr. HASTINGS RUSSELL, and Mr. WHITBREAD.

MILITARY RESERVE FUNDS.

Select Committee *appointed,* "to inquire into the origin of the Military Reserve Funds, the sources from which they are derived, and the objects to which they are applied."—(*Lord Hotham.*)

And, on February 19, Committee *nominated* as follows:—Lord HOTHAM, Mr. BAXTER, Mr. CHILDERS, Mr. GOSCHEN, Colonel HOGG, The Marquess of HARTINGTON, Colonel NORTH, General PEEL, Major O'REILLY, Sir CHARLES RUSSELL, Mr. TREVELYAN, Sir JOHN TROLLOPE, Captain VIVIAN, Mr. PERCY WYNDHAM, and Colonel EDWARD SOMERSET:—Power to send for persons, papers, and records; Five to be the quorum.

METROPOLITAN FOREIGN CATTLE MARKET BILL.

Select Committee on the Metropolitan Foreign Cattle Market Bill *nominated:*—Mr. MILNER GIBSON, Mr. SELWIN-IBBETSON, Mr. GOSCHEN, Mr. READ, and Lord ROBERT MONTAGU:—Power to send for persons, papers, and records; Five to be the quorum:—And, on February 20, Mr. LOCKE and Mr. CORRANCE *added.*

House adjourned at a quarter after Nine o'clock.

HOUSE OF LORDS,

Tuesday, February 18, 1868.

MINUTES.]—*Took the Oath*—The Bishop of Killaloe, &c.

PUBLIC BILLS—*Second Reading*—Promissory Oaths (10).

Referred to Select Committee—Promissory Oaths (10).

Report—East London Museum Site (12).

PROMISSORY OATHS BILL.—(No. 10.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR: In moving the second reading of this Bill, which is for the amendment of the Law relating to Promissory Oaths, although I regard it as of great importance, I shall not occupy much time in stating its provisions. Your Lordships are aware that during the last few years Parliament has been repeatedly dealing with particular oaths, and that from time to time some of them have been abolished, some altered in their form, and some converted into declarations. Now, those who have not given special attention to the subject can hardly be aware of the enormous number of oaths which are required by law to be taken by persons entering upon offices of the highest and of the lowest description. I hold in my hand the Report of the Oaths Commissioners, which contains an appendix of no fewer than 300 pages full of these oaths. Among these oaths there are some by which the parties are required to swear that they will do certain acts and perform certain duties which are never intended or expected to be fulfilled, and there are others by which persons enter into most solemn engagements to perform the most trifling and ridiculous acts. I will give your Lordships a sample of both descriptions of oaths. The oath of the Gentleman-at-Arms makes him assent to this—

> "You shall continually be furnished with double horses and men, and provide that yourself and your men may be also well furnished with harness to serve Her Majesty in time of need, or otherwise for Her Majesty's pleasure when commanded thereto by Her Majesty. You shall also truly and diligently to your power observe and keep from this day forward all and every such reasonable articles, rules, and ordinances as shall be devised by the Queen's Majesty, and set forth and signed with Her Majesty's hand for your better usage and order. And all such cases by the way of secresy and counsel shall be showed unto you by the Queen's Majesty or the captain you shall keep secret, without discovering the same to any person or persons unless you shall be thereunto commanded. Also you shall, when commanded thereto by Her Majesty, make your musters in such harness and other habiliments of war, and upon such horses as shall be your own proper goods, and no other man's."

This certainly is an oath which is never intended to be performed. I will now turn to the frivolous oaths, and I will begin with that which is required of the ale-taster of the borough of Wilton. He is to endeavour to—

> "See that all brewers, innholders, and alehouse-keepers within this borough do brew good and wholesome ale and beer for men's bodies, and sell the same according to the stattutes of this realm, and the defaults thereof present from time to time. So help you God."

The beadle of this borough is also required to swear that he will—

> "Duly and faithfully take up all such swine piggs as you shall see going up and down this borough, either in the time of the markets or ffairs, or at any other time or times whatsoever, and them detain and keep until the owners thereof have paid and satisfied such penalty and forfeitures as have been used and accustomed within this borough to be paid for the same; and if any resistance or rescous be made upon you on this behalf, you shall duly present the same to the Mayor of this borough, or his deputy for the time being, that reformation may be had therein."

Whether it is for the reformation of the swine pigs or of the person who owns them that they are to be restrained the oath does not clearly express. These are merely samples of the different oaths which are required to be taken. The demand that was made for the re-consideration of all the oaths required by law to be taken led to the appointment in 1866 of a Commission, of which my noble Friend the President of the Board of Trade was Chairman. That Commission was directed to inquire—

> "What oaths, affirmations, and declarations are required to be taken or made by any of our subjects in the United Kingdom, other than those required to be taken or made by Members of either House of Parliament, or by prelates or clergy of the Established Church, or by any person examined as a witness in any Court of Justice, or in any criminal or other proceeding before justices or otherwise of a judicial nature; and to report their opinion whether any and which of such oaths, affirmations, and declarations may be dispensed with, and whether any or what alteration may be made in the terms of such as it may be necessary to retain."

The Commissioners were nearly equally divided in opinion upon this subject. I believe the larger number were of opinion that all promissory oaths, without exception, ought to be entirely abolished. I believe they extended the same censure to almost all declarations. However, with regard to promissory oaths they expressed this opinion, that they were either useless or detrimental to morality; and the reason they considered them to be useless was that it was of little importance to remind men of the duties which they had to perform, or to impose upon them by means of an oath the obligation to perform them. With regard to oaths being detrimental to morality, I think the ground upon which the Commissioners came to that conclusion was that a public engagement is liable to lose its power to bind the consciences of men, even in the case of those who would shrink from the dishonour of breaking a faithful promise. If I thought that oaths were imposed with the particular object described in the Report of the dissentient Commissioners—namely, to remind persons of their duties and to impose upon them an obligation to perform these duties—I should be disposed to agree with these Commissioners; but I must say I look upon the matter from a higher point of view. I consider that persons who enter upon office under the solemn sanction of an oath must be strongly impressed with a deep sense of the obligation which is imposed upon them, and must be in a manner consecrated to their duties; and, therefore, an oath imposed on a proper occasion involves an obligation of the highest nature, and one which ought not to be lightly regarded. I therefore agree with the rest of the Commission in their opinion that some oaths ought to be retained, and at the same time that these oaths should be sparingly imposed. The oaths to which the Commissioners refer are the oaths of allegiance and oaths of office. They suggest that the oath of allegiance should be taken by persons who are entering upon offices of high importance, and that oaths of office should be restricted to those assuming merely judicial functions. I certainly agree with that portion of the Commissioners' Report. And this Bill will be found to contain five descriptions of oaths—the oath of allegiance, the official oath, the judicial oath, the military oath, and the constables' oath. Whatever opinions may be entertained as to the propriety of imposing oaths, at all events all will agree that if oaths are to be imposed they should be short—they should contain no useless words, and they should be free from all ambiguity. I think your Lordships will be of opinion that the oath of allegiance and the official oath contained in this Bill answer to this description. Many of your Lordships who have held high offices in the State, and have been required to take oaths when entering upon them, must be aware what minute details they enter into, and in what quaint and obsolete language they are frequently expressed. No one can doubt that the short and simple form prescribed by this Bill is infinitely preferable to the forms that are now in use. Upon the subject of the military oath the Report of the Commissioners says—

> "We advise that the oaths taken by recruits on their enlistment into Your Majesty's army, and generally those taken under the rules of Your Majesty's service, should be retained with the changes we have suggested. We believe that if the oaths taken by soldiers in Your Majesty's army were administered with circumstances calculated to impress upon them the solemnity of the engagement which they then contract it would tend to quicken and maintain their loyalty."

With regard to the military oath and the constables' oath it may be said—"Why do you retain these? Why not abolish them and convert them into declarations?" My answer to that is, that there is a wide difference between abolishing oaths and imposing new ones. If the question now were, whether these oaths ought to be imposed upon persons in the present day, perhaps it might be a grave question whether it would be desirable to impose them. But your Lordships must remember that these oaths are matters of notorious obligation, and are continually imposed; and if they were to be abolished now it might in many minds raise the presumption that the duties are not now so obligatory as they formerly were, and that there would, therefore, be the less impropriety in breaking the promise made. These, as I have explained, are all the oaths introduced into this Bill. It excepts the oaths required to be taken under the Subscription Acts, and those to be taken by Members of Parliament, under the Parliamentary Oaths Act. The oath of allegiance, the official and the judicial oath, will, under the Bill, be taken only by the great officers of State and the high judicial functionaries. With regard to oaths which are imposed by public Acts of Parliament, by private Acts, and by charters, the mode in which the Bill proposes to deal with them is this—it is proposed that those which are imposed by public Acts of Parliament shall be converted into declarations, without any alteration of their form. It is very important in many cases that the form should be preserved, because, now in many offices, an oath of secresy is required. I may mention the offices of assessors of income-tax and Commissioners in Lunacy, and your Lordships will see the propriety of requiring secresy from those holding them. Therefore, with respect to public oaths which are imposed by public Acts of Parliament, the only change made is to convert them into declarations. The next portion of the Bill applies to oaths taken under private Acts of Parliament—to such oaths as those taken by members of guilds and companies. In the Appendix to the Report of the Commission your Lordships will find that most minute details are included in the oaths now required to be taken by those persons. It is proposed to substitute for such oaths a declaration merely in the form of a promise, that the person will be a faithful member of the corporation, guild, or company, without any specific details of the nature of the duties which he will have to perform. To sum up the whole of the provisions of the Bill, your Lordships will observe that, with very few exceptions, all promissory oaths will be abolished; that in all other cases in which they are now taken those oaths will be changed into declarations; and that in some cases the form of the oath will be preserved on the declaration which is to supersede it, while in others the form will be simplified by the adoption of a short declaration in which no details will be set out.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

Lord LYVEDEN, as one of those whom the framers of this Bill chose to consider the minority of the Commission whose recommendations had been set aside, wished to say a few words in vindication of their Report. He might observe that though there were differences among the Members of the Commission they had conducted their inquiry with harmony, and there could have been no more courteous Chairman than the noble Duke who presided over the Commission. Now, as to the proposals in the Bill, he submitted that there was no use whatever in administering to a man who had been chosen to perform certain duties, the performance of which was a condition of his holding the appointment, an oath binding him to the faithful discharge of those duties. The administration of an oath to a witness in a Court of Justice was quite a different thing. A witness might have a partiality; at all events, he was brought up on one side, and it might be well to swear him that he would tell the truth. But when you gave a person office on the supposition that he was competent to perform its duties, why should you swear him to do so? This was what he could not see. He thought it was almost blasphemy to call upon a man to take an oath that he would perform certain detailed duties before he knew what in practice those duties really were. As to the oath of allegiance, every subject of the Queen owed Her Majesty allegiance. Why, then, should a person who was assumed to be worthy of holding office under the Crown be called upon to swear that he would be a loyal subject? There seemed to be less necessity for presenting the oath of allegiance to such a man than might be supposed to exist in any other case. But there was no penalty for a breach of the oath of allegiance; and no one ever thought of proceeding against a traitor on the ground of a breach of that oath. He remembered Mr. Smith O'Brien coming to the House of Commons, on his admission to which he had taken the oath of allegiance, and sitting there while he was plotting a rebellion in Ireland. But on Mr. Smith O'Brien's return from transportation, when the remainder of his sentence was remitted, did any one think of indicting him for a breach of the oath of allegiance? Again, why should the oath of allegiance and the official, or judicial oath, both be compulsory in the case of persons who had to take the latter? If an oath was to be administered, one ought to be made to accomplish the double object. If it was thought that the omission of the military oath might have the effect of diminishing the loyalty of recruits, as it had for so long a time been customary to administer that oath, he would consent to its continuance; but he did not see why the officers should not take it as well as the men. The Bill proposed to do away with an oath in just one of those cases where he thought there was a reason for preserving it. As it did not follow from the nature of the duties of a Privy Councillor that secresy was to be observed, it did not seem unreasonable to swear a Privy Councillor to the matter of fact that he would keep the secrets of the Council. Where declarations were imposed, the form of the promise should have been given in the Bill. The noble Lord was understood to ask what oath would be required of special constables. [The Lord Chancellor: They would take the oath of office.] Then in this case the advice of all the Commissioners had been disregarded, as in this instance a declaration was proposed instead of any oath. He did not mean to oppose the Bill, but had thought that he ought not to let it pass *sub silentio.*

Earl RUSSELL was understood to agree that there were many unnecessary and useless oaths which it would be a great improvement to abolish. It was true that great officers, like the Lord Chancellor, who were bound to perform important duties, must have a deep sense of the responsibility resting upon them; but he did not agree with the noble Lord who had just spoken, in thinking that a similar feeling would always actuate those who held small and comparatively unimportant situations. The language of the 18th clause he regarded as not sufficiently precise, believing that it would be better to prescribe in the Act itself an identical form applicable to all those cases, than to leave the wording in the discretion of any officer of State, however exalted. Members of the Privy Council, he thought, upon their accession to office might fairly be required to take the oath of secresy.

The Bishop of OXFORD said, that the noble Lord opposite had argued as if the only reason for imposing an oath upon entrance to office was with a view to punishment in the case of non-fulfilment of duty by the person taking the oath, and hence, if in any other way it could be rendered the interest of the officeholder to perform his duty, the oath became entirely superfluous, and, because superfluous, irreverent. His noble Friend entirely left out of sight one great motive with which oaths had been prescribed. These were not dictated by a mere calculation of how a particular duty could be obtained from a particular man about to be admitted to office. The real principle on which an oath was justified was, that there were in a Christian country certain great offices about which there was a worth and dignity making it desirable as well for the nation itself as for the man, that there should be a recognition of the fact that in the discharge of the duties of that office, he was acting under the highest conceivable obligations. The Coronation oath afforded a good illustration of his meaning. No one imagined that the oath taken by the Sovereign upon the Coronation was the security to which every person in the country was to look for the performance by the Sovereign of the functions so undertaken. Nevertheless, it would be a great abnegation of the Christian Church of the realm, if, in the solemn compact made by the Sovereign with the people over whom he was to reign, there were left out of sight all reference to the supreme Lord, in whose sight the Christian Sovereign declared that he undertook and entered upon the duties attaching to the Throne. He quite agreed that the multiplication of oaths, carried down to offices of small importance, had an injurious tendency; but the retention of oaths in a few reserved cases, where types of the nation undertook duties in the face of the nation, tended, he believed, to reverence and not to irreverence. It was on the point to which he had alluded that the Commission was divided in opinion. There was no difference as to the substitution of declarations for oaths. And the principle in the framing of the declarations was this, that everything should be struck out which no longer constituted a real obligation, everything which lapse of time and change of circumstances had rendered no longer a part of the duties of the office, and to make the remainder as brief and distinct as possible. The other matter, which had been adverted to that evening, would, of course, be dealt with in Committee. In the general principles of the Bill he heartily agreed.

Lord WESTBURY said, he was not in favour of abolishing all promissory oaths, and was of opinion that, upon the whole, the course proposed to be taken by the present Bill is the right one. At the same time, he thought that, in order to render its details as perfect as possible, the measure should be referred to a Select Committee, and he would be glad to give his noble and learned Friend any assistance in his power towards that end.

The LORD CHANCELLOR said, he was sure his noble and learned Friend and he had but one object, so he gladly consented to the proposal of referring the Bill to a Select Committee, in order that all its clauses should be framed in the most desirable manner. But, at the same time, it would be impossible for him, consistently with the due performance of his official duties, to attend that Committee.

Motion *agreed to*: Bill read 2^a accordingly; and referred to a Select Committee: The Committee to be named on *Thursday* next.

And, on February 20, The Lords following were named of the Committee; the Committee to meet on *Monday* next, at Four o'clock, and to appoint their own Chairman:

D. Richmond
E. Devon
L. Bp. Oxford
L. Lyveden
L. Westbury.

And, on February 21, Earl Russell *added.*

EAST LONDON MUSEUM SITE BILL.

(No. 12.) (*The Lord President.*)

REPORT OF AMENDMENTS.

Amendments *reported* (according to Order.)

In reply to Lord STANLEY OF ALDERLEY,

THE DUKE OF MARLBOROUGH said, he regretted that his noble Friend thought the House not sufficiently well-informed upon this subject. The Bill was introduced into the House of Commons at the November Session, and passed that House, and would have passed their Lordships' House had not the noble Lord (the Chairman of Committees) objected on the ground of a want of sufficient notice. The proposal did not arise with the present Government, but was a matter that had been negotiated and agreed to by the late Government, and all the present Government had to do was to carry out the arrangement. When it was proposed to remove what were popularly known as the "Brompton Boilers," a proposition was made by certain persons interested in the erection of local museums in the densely populated districts of the metropolis that the materials should be supplied by the Government at nominal prices. That was acceded to, but it was found, after waiting six months, that the only proposal for the erection of a museum came from Bethnal Green, and where persons who felt an interest in the establishment of museums had, with a praiseworthy zeal, subscribed a considerable sum with which to purchase a plot of land for that purpose. When the present Government came into office they found that the late Government had sanctioned the payment of a certain sum of money by the Treasury for carrying out the erection of this museum. In order to carry out the arrangement it was found necessary to introduce this Bill, for the purpose of enabling the trustees of the land to give the proper legal title to such of the land as might not be required for the purpose of the museum, to be disposed of for building purposes, by which means the poor of Bethnal Green would be considerably benefited. At present the land did not return more than £3 or £4 per annum, but if the surplus land was disposed of for building purposes, it would yield about £65 per annum. No arrangement had been entered into beyond the construction of the museum, and the present Government were only completing what the late Government commenced. It had been said that this would set a precedent for other towns to claim Government assistance in the erection of local museums. He could only say that the Government had entered into no sort of engagement to build any other museum. Dublin had been put forward as likely to make such a claim, but he thought it very unlikely, seeing that Dublin had already a very good museum. The construction having been sanctioned a small sum would have to be taken for its maintenance.

LORD REDESDALE said, this would form a precedent for every town in the kingdom to ask for the erection and maintenance of a museum at the public cost, and Parliament would not be able to resist it. There was a great difference between erection and maintenance, and it would be very desirable, before anything was done, that an understanding should be come to by which the district should provide something towards the maintenance of the museum. He could not see why Leeds, Manchester, and other large towns had not as good a claim to the erection of a museum at the public expense as Bethnal Green. There could be no doubt the establishment of local museums was a great benefit; but in this instance they should take care that too extensive a step was not taken in the first instance.

THE DUKE OF SOMERSET said, he thought the noble Lord (Lord Redesdale) had done public service in calling attention to the question of the maintenance of the museum, which would involve not only the maintenance of the building itself, but also the supply of objects and the payment of salaries. It should be remembered that if no undertaking had been given by any persons for supplying the museum with articles for exhibition a pressure would in all probability be put upon the Government by-and-by for the supply of these articles out of the public funds, and this pressure it would be extremely difficult to resist. The example now set was, he thought, one fraught with great danger, because other towns in the kingdom would object to taxing themselves when they found that the Government were willing to do their work for them at the public expense.

LORD STANLEY OF ALDERLEY said, he trusted an undertaking would be given by the Government that they would go to no expense beyond the cost of the erection of the building. Anything beyond that should be matter for future consideration.

THE DUKE OF MARLBOROUGH replied that if any more money were voted from the public funds the sum would be placed on the Estimates, and the opinion of Parliament taken upon it.

THE DUKE OF CLEVELAND said, he thought that in cases of this description the Government ought, before agreeing to a grant for erection, to require that those who asked for their assistance should furnish a large proportion of the means that would be necessary for the maintenance of the building. It was difficult to see where there would be a limit to demands of this kind, because the example set in this case would probably lead to numerous claims for the erection and maintenance of similar buildings.

THE EARL OF MALMESBURY said, the apprehension of there being a general outcry for museums in consequence of what was now being done was not well founded. There were exceptional circumstances in this case which had led to this proposal. This district was extremely poor, and its very poverty was a reason for the proposition that was made by the late Government, and sanctioned by them. The same argument of poverty could never be urged in the case of Leeds, Manchester, or the other large towns in the kingdom. The poor artizans of Bethnal Green were unable to lose the time to visit the West End museums, and it was thought it would be desirable, if possible, to erect one in the district. It had been asked where was the collection to come from? and the noble Duke had intimated that a great expense would be incurred in stocking the museum; but he could assure him that from the excess of duplicates in the other museums a great number could be transferred to Bethnal Green. Under these circumstances, he certainly did not share the fears of noble Lords opposite as to the probable effect of the measure.

Report *agreed to*: Bill to be read 3ª on *Thursday* next.

House adjourned at half past Six o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 18, 1868.

MINUTES.]—NEW MEMBER SWORN—Wellwood Herries Maxwell, esquire, *for* Kirkcudbrightshire.

SELECT COMMITTEE—On Admiralty Monies and Accounts *appointed;* on Special and Common Juries *appointed.*

PUBLIC BILLS—*Resolution in Committee*—Oxford and Cambridge Universities.

Ordered—Oxford and Cambridge Universities; Sale of Liquors on Sunday (Ireland); Landed Property Improvement (Ireland); County Courts (Admiralty Jurisdiction)*; Judgments Extension*; Fines and Fees (Ireland).*

First Reading—Oxford and Cambridge Universities [30]; Sale of Liquors on Sunday (Ireland) [31]; Landed Property Improvement (Ireland) [32]; County Courts (Admiralty Jurisdiction)* [33]; Judgments Extension* [34]; Fines and Fees (Ireland)* [35].

Second Reading—Industrial Schools (Ireland) [6].

Committee—Habeas Corpus Suspension (Ireland) Act Continuance [28].

Report—Habeas Corpus Suspension (Ireland) Act Continuance [28].

PRIVATE BILL LEGISLATION.

RESOLUTION.

MR. DODSON: * Mr. Speaker—Sir, great care and attention have been devoted to the Private Business of the House: nevertheless, there is a feeling, both in Parliament and out of it, that our Private Bill Legislation is in that condition which is best described by the term "unsatisfactory." I, for one, share that feeling so strongly that I have thought myself bound to bring the subject under the notice of the House. Moreover, I have thought that the present Session, being one in which there is a lull in private business, offers a favourable opportunity. The subject can now be considered on general principles, without trenching upon particular interests, nor will Parliament incur the suspicion of being animated merely by a desire to deliver itself from an irksome duty. Private Bill legislation is unsatisfactory, owing to the length and costliness of its proceedings, but still more from the uncertainty, or as some would say the caprice, that characterizes its decisions. These evils may be traced to two causes. The first is the fluctuating nature of the tribunals to which the decision on Private Bills is remitted; the second and most important, in fact that which lies at the root of our difficulties, is the fluctuating state of public opinion—the changes which that opinion has been undergoing, during the last quarter of a century, in regard to the concession of powers for works, and especially for railways. As to the tribunal, several persons of great ability and knowledge have recommended the substitution for Parliamentary Committees of a permanent judicial Court. Others, not less able and experienced, have recommended a system under which a Government Department, or some Court external to Parliament, should grant powers to applicants—subject however, to an appeal to Parliament. As for a permanent tribunal, whose decisions should be final, things are not ripe for such a step now, whatever they may hereafter become. At present the objections to such a tribunal are very strong. What are the questions before a Committee on a Private Bill? It is not the interpretation of a law, the construction of a document, or the ascertainment of a right and a wrong. It is a question of expediency, a balancing of advantages and disadvantages to the public. It is essentially a question of policy—often a very important question. A judicial tribunal must aim at consistency; and from the very nature of its being, always seek to uphold that which it has once decided. Imagine our position if decisions respecting railways had, during the last five-and-twenty years been left to such a Court. The court must either have broken away from its own rules and precedents — in which case it would have lost all weight and character as a judicial tribunal —or it would have lagged behind, and found itself long ago in antagonism to, the wants and the opinions of the country. In regard to a Court or Department making orders to be subsequently confirmed or rejected by Parliament, I shall have some suggestions to make hereafter. Its application, however, to cases which parties were determined seriously to contest, would be worse than useless. If Parliament fell into the habit of endorsing preliminary decisions, we should be landed in all the evils of a fixed tribunal. If Parliament investigated matters for itself, we should only have added one more inquiry to those by the two Houses we already have. Committees of this House, and more recently the Royal Commission, reported decidedly in favour of maintaining the immediate jurisdiction of Parliament over Private Bills. Parliamentary Committees are flexible; they are watchful of, and responsible to, public opinion. They bring to their duties great assiduity, ability, and perfect independence. On the other hand, they are wanting in technical knowledge of the particular subjects brought before them, in the habit of directing counsel, and of admitting or rejecting evidence; they are wanting in familiarity with the decisions given by other Committees. The establishment of the General Committee on Railways and Canals, forming a Sessional Chairman's panel, excellent as it has proved, does not, and cannot, altogether supply the element that is wanting in Committees. Few Members can undertake the labour of a continuous Chairmanship. Of those who do, not a few, when they have acquired experience, and their labours have become most valuable, are, from various circumstances lost to the service. The representative element should preponderate upon our Committees; but if we could secure, on groups of Bills involving technical questions, the presence of at least one expert possessing technical knowledge and experience of Parliamentary law and practice, it would give strength and consistency to the tribunal. In the official Referees we have such a body of experts ready to our hand, and a Referee Court is such a mixed tribunal as just now suggested. The evidence of the bar, and of other persons interested in private business, as given before the Select Committee on the Referee system, was, I may say, all but unanimous in favour of the constitution of these Courts. I will also appeal to Members who have served as Referees, and I am confident that they will agree that a mixed tribunal works well, and that a permanent official constitutes a valuable addition to a Committee. But, hitherto, the Referees have been entrusted only with part of an inquiry — not, however, as the examiners on Private Bills, with an inquiry only into the performance of certain acts by certain persons. The Referees inquire into a portion of the merits of each case. Now, the question, whether a Bill shall be passed or not, depends on an estimate of its merits in the aggregate, and to separate these is usually very difficult. The inquiries before Referees and Committees, as it were, overlap each other, and thus are attended with waste of time and of labour. To the Referees is allotted the task of ascertaining the sufficiency of the estimate and the efficiency of the engineering for the proposed object. In fact this amounts to little, if anything, less than ascertaining whether the means are adequate to the end. By the time they have done this, they have directly or indirectly heard nine-tenths, in some instances ninety-nine-hundredths, of the whole case. But when they have reached this point, the Referees are to stop short, and with great expenditure of time and of labour to prepare a condensed Report, in writing, on a limited portion of what they have heard, for the benefit of another set of minds. The fresh tribunal, which is to pass final judgment upon the Bill, must necessarily travel over a great deal of the same ground. The above, however, are only instances of waste of time and power. There are numberless others in which the divided inquiry imperils the arrival at a right decision. The Referees constantly find that the engineering objections made to a scheme are more or less valid, though the engineering cannot on that account be pronounced absolutely inefficient for its object. For instance, a railway is to cross a navigable river by a viaduct, marsh-lands by an embankment, a street by an archway. It is objected that the navigation, or the drainage, or the traffic will be impeded. The Referees find there will be "a slight," or "a serious," or "a certain" impediment. The actual measure of the obstacle cannot be defined in words or in figures. But the whole question to be decided is—given an impediment—is the advantage of the line such as to outweigh it? The Referees have not the advantages of the line put before them. If they have them incidentally put before them, the comparison of the good and evil is the very thing beyond their jurisdiction. The Committee, on the other hand, succeeds to the subject, and hears the good, but how is it to weigh the evil against it in the scale? To do this, the Committee must in some way hear the details of the evil, and form its own estimate of its weight. If the Committee does this, it rehears what the Referees heard. If it does not, its judgment on the matter must be imperfect.

In making these observations I am far from intending to make it any reproach to my right hon. and gallant Friend the Member for North Lancashire that he along with the Referee Courts established a divided inquiry. The establishment of the Referees is not the least of the many services he has rendered to the private business of the House. But the Referees were an experiment. The House would naturally have hesitated to entrust to these untried mixed tribunals entire Bills. The very success of the tribunal now constitutes a reason for dropping the divided inquiry. I therefore would ask the House to repeal the Standing Orders providing for the divided inquiry, and to give power to the Committee of Selection to remit any group which, from the technical questions involved, or from other reasons, they deem expedient, to a mixed tribunal. In recommending this step I may appeal to experience. Last Session, by an order of the House, power was given to remit entire Gas and Water Bills to the Referee Courts. In other cases Railway Bills have been so remitted by the consent or at the request of promoters and opponents. Finally, at the close of last Session both Houses of Parliament concurred in passing an Act giving the Referee Courts the same power of examining witnesses upon oath and awarding costs as Committees possess; thus giving proof of their confidence in the tribunal, and removing the only difficulty that existed in remitting to it entire Bills. I know that some gentlemen whose opinion possesses weight are in favour of joint Committees of Lords and Commons on Private Bills. I will not now stop to discuss such a plan. I will confine myself to expressing the hope that we shall not delay reforms in this House till that union is brought about. The mere fact that the House of Lords has not yet resolved to make attendance on the part of its Members on Private Bill Committees obligatory presents a serious obstacle to our working conjointly with them. Should it at any future time be deemed expedient to fuse the tribunals of the two Houses, the course now recommended would constitute no bar to such a step. If the official Referees were still retained, there would then be a mixed Commission likely to prove the most efficient tribunal for the purpose. Before I quit the subject of the tribunal, let me say a word upon the point of practice. When our present Committee system was formed, railways were in their infancy. The appearance of one in a country was looked upon as the invasion of an enemy, rather than the approach of a friend. Owners of property and local authorities were up in arms to resist. Hence Committees naturally called upon the promoters to begin by proving that the line proposed was of such importance as to justify the overriding of all private and local rights. Now-a-days things are so changed that the presumption is that a railway will benefit the district it traverses; and the first question is, what are the objections to the work?

The Referees, recognizing this fact, as soon as established, reversed the proceedings. They require the opponents to begin, and the result has been beneficial. A great deal of unnecessary speaking and evidence is obviated, and time and labour saved to all parties, without detracting from the real efficiency of the inquiry. It is the most logical mode of proceeding. The case of the promoters is usually before the Committee in the shape of plans and sections, and of the Bill deposited. If the Court requires any further explanation at starting, it can ask for it. If the absence of plans, or peculiar circumstances, render it in some particular case desirable that the promoters should open, they can always be required to do so. These proceedings, however, are not regulated by, or dependent, upon any orders of the House. They are, I apprehend, matters within the discretion of Committees themselves. Probably, however, without some expression of opinion from without, each Committee, singly, would hesitate to break through the established custom. I hope that the General Committee on Railway and Canal Bills, and the Chairmen of other Committees, will consider the policy of adopting the course that has proved so successful in the case of the Referee Courts.

Thus far we have considered the means for improving the constitution of Parliamentary Committees, and of abridging and simplifying their procedure. I will now address myself to the expediency of transferring some portion of the business to a more summary and less expensive tribunal. Preliminary or provisional certificates or orders are useless, or worse than useless, where a scheme is keenly contested, because neither party will rest without appealing to Parliament and fighting it out to the bitter end. But where the stake is not so great, or the feeling is less strong, it is likely that the defeated party may acquiesce in the decision of a preliminary tribunal, and that both parties may thus be spared the expense and labour of a Parliamentary contest. The Railway Construction Facilities Act, 1864, was an attempt to give effect to this principle. It provides that where a would-be company has contracted for the purchase of all the land it requires, it may apply to the Board of Trade, and the Board may issue a Certificate giving power to make a railway. The Act has remained almost totally inoperative; and the reasons are obvious. The Act requires unanimity on the part of the persons beneficially interested in the land required—a condition difficult to secure. It requires the absence of objection by any other railway—a condition which it is, one may say, impossible to secure. The repeal of section 9 would not really alter the case, because the rival railway could and would always induce some one landowner to come forward and veto the action of the Board of Trade. There should be a further Act providing that, without exacting unanimity on the part of landowners, in view of a marked preponderance of agreement in favour of a scheme, the Board of Trade might issue, if on inquiry it thought fit, not a certificate as under the Act of 1864, but a Provisional Order such as those under the Piers and Harbours Act. The provision would be, that where a railway company has contracted for the purchase of three-fourths in extent of the land required, and obtained the assent of three-fourths in number of the owners of the property to be taken, the Board might make an order. There must be the actual consent of three-fourths in number of the owners, because it is obvious that, in the case of a short line, the agreement for purchase of three-fourths of the land might represent the consent of one or two grandees only, while a large number of owners of valuable properties might be objectors. On the other hand, there must be the agreement for three-fourths of the land, because the consent of three-fourths in number of the owners might represent only the consent of the owners of some worthless cottages or bits of waste, while all the valuable property injured might be in the hands of the dissentient one-fourth. The instrument should be a Provisional Order, and not a Certificate. The difference is this:—A Certificate once laid upon the table of the House, can only be rejected by the action of Parliament itself. An opponent cannot demand a Committee, and thus traders and freighters, local bodies, inhabitants of districts, and, generally, parties injuriously affected, are shut out from opposition, except so far as they can induce the Board of Trade to listen to their remonstrances. A Provisional Order is a less potent instrument, it has to be embodied in a Bill and pass through Parliament. Any Order will, on the demand of an opponent who would have had a *locus standi* against the scheme if introduced in a Private Bill, be sent to a Committee to be dealt with as a Private Bill. A rival company would not be able, as under the Act of 1864, to prevent the issue of a Provisional Order by itself, or by putting forward one dissentient landowner to veto the action of the Department. But no opponent, whether a rival company or other, who would have had an opportunity of opposing the scheme, if introduced as a Private Bill, would be deprived of his hearing before Parliament if he insisted. Probably, however, in view of the approval of the undertaking by so large a proportion of those immediately affected and of the sanction given to it, on inquiry, by the Board of Trade, the Provisional Order would, in the majority of instances, be acquiesced in.

Next to railways, gas and water works constitute the most important part of Private Business Gas and water works, especially the former, differ from railways in this, that they are in the majority of instances of a purely local character. They affect a local community whose opinion can be ascertained either directly or through some representative body. Gas and water works comparatively seldom require to take property compulsorily, they do not affect the surface of the ground permanently, they only cause a temporary disturbance by the breaking up of roads and streets. In fact, it is usually only in order to obtain the power to break up roads and streets that gas companies, at least, are compelled to come to Parliament. They can and do, in many instances, incorporate themselves under the Joint Stock Companies' Act, and by consent break up roads, but they are, as I understand the law to be, in such cases always at the mercy of any individual who pleases to indict them. This state of things prevents the establishment of works, especially in small country towns. On the one hand, the cost of obtaining an Act of Parliament would amount to, perhaps, half the cost of the works themselves ; on the other, people are shy of investing in an undertaking which exists only on sufferance. The principles of the Railway Construction Facilities Act might be beneficially extended to such cases. Where the local authority or authorities are consenting, the Board of Trade, or some other Department, might, after reasonable inquiries, be empowered to issue a Certificate, giving the requisite powers to Gas and Water Companies. Of course it must be a matter of speculation how many schemes, under such an arrangement as now recommended, might be settled by a Department without recourse being had to Parliament. There are, at the present time, before the House about thirty-six Bills for the construction of gas and water works. Judging from the character of these Bills, more than one-half might probably be settled without any application to Parliament. What number of railways would be constructed under Provisional Orders, it is still more difficult to estimate : they would naturally be the shorter railways, to which a purely local interest attached. It is obvious that, the trunk lines of the country having been already made, the railways now applied for are mainly, and will be more and more, of the above description. I said at the outset that the greatest drawback to Private Bill Legislation lay in the unsettled state of public opinion. Opinion has been, and to some extent still is, in a state of transition as regards the concession of compulsory powers for the construction of railways and other public works. Hence the rules and practice of this House, having become somewhat divergent, tend to increase that prevalent confusion of ideas. The great difficulty is the question of Competition. Let me ask attention to the Standing Order on Competition. The late Mr. Phinn said, if this Order were abolished, the whole gallery upstairs, with its Committee-rooms, would become a desert. Without going so far as that, it may be said, without exaggeration, to give rise to one-half of all the Parliamentary contests. It is a very remarkable Order, because the idea that persons supplying certain articles, or providing certain accommodation to the public, are to have a formal recognized right to oppose any other persons entering into the same business lest their profits should be reduced, is one which is foreign to our notions and our policy in other matters. Let us see the reasons assigned for this exceptional policy. I will speak of railways, because they are the most important works. Let me also premise that my observations apply to opposition on the ground of competition, by an existing line, to a proposed new work. They do not apply to rival schemes presented to Parliament in rival Bills : those are alternatives out of which Parliament is invited to select one or more. I wish to state the reasons as fairly as I can ; and I believe they are substantially the following :—First, that the principle of competition does not apply to railways ; that the number of possible competitors is by natural necessity so limited that combination can, and will, quench competition ; that we must accept things as they are, and look not to competition, but to Parliamentary regulations and Government control, to protect the public against abuse of their powers by railway companies. Secondly, that the cost of making a railway is far in excess of that of all ordinary commercial undertakings; that the capital so invested is immutably fixed in that particular form; that in consequence, if two railways be made where one would suffice, the second railway represents an irrecoverable sacrifice of capital which constitutes a national loss. It is further said that that portion of the public which uses the railways will find itself in the long run worse accommodated and more highly charged by two impoverished lines than by one prosperous line:—worse accommodated, because the staff and the rolling stock of a poor company must necessarily be less efficient than those of a wealthy company; more highly charged, because a profit has to be made upon two capitals instead of one, and this must and will, in some form or other, be extracted from travellers and traders. Now, as to the first, it seems strange to argue that because an undertaking is naturally a monopoly or nearly so, it should be necessary artificially still further to secure that monopoly. Granting what no one will deny, that competition is less effectual in the case of railways than of undertakings which can be indefinitely multiplied, and that conditions must be imposed upon, and supervision maintained over, railway companies in the interest of the public, still that is no reason why competition should not be allowed free action as far as may be. That there is a waste of power where two capitals are employed to do the work of one is true of all undertakings; but in this country we leave such matters to the self-interest and acuteness of private enterprize, and believe the national interest is thereby in the long run better served than by any Government supervision. The magnitude and permanence of the outlay make no difference in principle: they must operate as incentives to greater caution on the part of adventurers. But is it the fact that competition does always end in combination, and combination in injury to the public? In several important instances we see that active competition subsists, either in charges or in accommodation, or in both, to the great benefit of the public. There is competition between London and Birmingham, between London and Manchester, between London and Liverpool. There is competition for the Scotch traffic between the East and West routes. In other instances competition has resulted in combination, not however, as a general rule, with higher charges, but with lower charges, to the public than before the competition was established. The history of many competitions has been this:—the old and the new lines begin by attempts to underbid each other, and for a time charges are unnaturally low. They then combine to carry at higher rates than the unremunerative rates they have been trying to ruin each other by, but at lower rates than the one line exacted before the competition was introduced. Such is the general tenor of the evidence before the Royal Commission; and I would especially direct attention to that of Captain Huish, late manager of the London and North Western, of Sir Daniel Gooch, the chairman of the Great Western; of Mr. Seymour Clarke, the manager of the Great Northern; and others. I would also refer to Mr. Galt's work on Railway Reform. There is a very intelligible reason why this should be the case. Experience shows that when rates have once been greatly reduced, they cannot be very largely increased without discouraging traffic. There are, no doubt, instances, but they are exceptional, in which competition results in higher charges than before. The evidence before the Royal Commission as to these cases is not always consistent. The fact is, companies shift their rates, both as regards classes of goods and as regards places, with a view to developing or trying to develope traffic; and if through combination they raise charges in one quarter, they seek to stimulate trade by reducing them in another. But even in cases of increased charge there is probably a benefit to the public from the multiplication of lines. Suppose, there being one line from A to B, a second comes in, and the two agree to raise their charges higher than the charges of the first line. Rival railways do not, like rival steamers between Liverpool and New York, traverse the same barren ocean without intermediate traffic. The second line can hardly fail to accommodate some places not reached by the first. Thereby the conveyance by cart, by waggon, by omnibus, is reduced, and the entire cost of transport to the district is diminished, although the railway charges may be augmented.

What is the history of this Standing Order? The original rule and practice of Parliament was that petitioners against

Private Bills were not admitted to be heard on the ground of competition. When the rule was first relaxed I have not been able to ascertain; but, judging from a passage in Sir Erskine May's valuable work on Parliamentary Practice, the first case appears to have been in 1850, when two Gas Companies were admitted to be heard against a Gas Bill. Be that as it may, the present Standing Order was made by the Standing Order Committee in 1853. No reason appears to have been assigned for it, and no debate took place upon the subject; but I have always understood that it was found that rival lines subsidized landlords, and fought through them, and that thereupon it was thought better to unmask the real opponent and bring him face to face with the Committee. Moreover, if we may read this order by the light of the Fifth Report of that which is known as Mr. Cardwell's Committee on Railway and Canal Bills, which Report was made in the same year (1853), the idea was that the line competed with might be heard to argue, not that its own profits might possibly be diminished, but that the construction of a new line would be of no service to the public. The Order made was in these words—

> "It shall be competent to the Committees on Private Bills to admit petitioners to be heard upon their petitions against a Private Bill, on the ground of competition, if they shall think fit."

It is an empowering order, authorizing a Committee to make an exception from a general rule in a particular case if it saw fit. Committees, however, acting separately, and without knowledge of what other Committees had done in analogous cases, when pressed by ingenious counsel to admit their clients, inclined, from a timidity natural under the circumstances, to hear them, as being the safer course. Thus it gradually became the practice always to admit an opponent who alleged himself competed with, unless the competition appeared so remote as to be absolutely frivolous. That practice has now become so established that no Committees or Referees would venture to break through it. While, however, this practice was growing up, the change in public feeling in regard to railways, which had already set in when the Order was made, kept increasing. Gradually the whole position of Parliament towards the promoters and opponents of Railway Bills was altered. Originally it had submitted to it a scheme for a great national highway, which was bitterly opposed by all the local interests affected. Now lines are of local concern; and when local interests oppose, it is not so much because they wish the line to be rejected as because they wish to obtain a diversion, to secure increased accommodation, or in some way to make better terms. In fact, Parliament is now-a-days little more than an arbitrator between parties all of whom are in the main desirous that the line should be made. Thus it comes that we have arrived at this state of things, that Parliament as a matter of course admits the old line to oppose, and, almost equally as a matter of course, decides in favour of the new. The directors of old lines feel bound to fight—although they probably know that they fight with a halter round their necks—lest their shareholders should blame their apathy; shareholders in old lines are led to fancy they are a protected interest; the shareholders in new lines are led to fancy they will be; Parliament is reproached by the old companies with granting too many lines, and by the new with unduly thwarting railway enterprize; if old lines do not pay, it is said Parliament has ruined them; if new lines do not answer, it is said how improvident of Parliament to have sanctioned them! Let it be distinctly understood that the possible abstraction of profits from an existing work will not be considered a ground for opposing a new work; abolish this Order; and all concerned will gain by the adoption of a fixed and intelligible policy—the old companies, the new, the public at large, and Parliament itself. Here are the words used not many days ago by one of the most eminent authorities in this House on railway matters. The hon. Member for Wick (Mr. Laing), addressing the shareholders of the London and Brighton Railway, of which he is the chairman, said—

> "The monopoly, and Government control over railways, were no doubt better suited to the genius of Continental nations than of England. No doubt also the public had derived benefit from the construction of so many railways, and the competition thus established; but Parliament having decided not to uphold Lord Dalhousie's reports and the Continental system of a qualified monopoly, ought to have gone to the opposite principle—free trade—instead of tantalizing Railway Companies by hopes of protection, which, however, were falsified."

He instances the case of the Brighton line, which fought on, undertaking "useless" lines to protect itself, yet at last a competing line was sanctioned.

> "They were led on [he said], by degrees, by the inconsistent conduct of the Legislature, in just

holding out sufficient hope of protection to induce them to make great sacrifices, trusting to a reed which broke under them, because they did not think they were to be subjected to competition."

What harm can ensue from the abolition of this Order? It is said people will make useless lines: but why? To obtain an Act is expensive: the promoters incur the risk of costs if their application be held frivolous; they forfeit their deposit if they do not complete the line within a given time. They must think the line proposed is one they can work at a profit themselves, or sell or lease to other persons. In either case they must believe the line to be one that will be used by the public, otherwise it would possess no value. Surely Parliament may assume they are the best judges of their own interests—better than any Committee can be. But it is said, people apply for an Act who have no intention of making a line; they only want the power, in order that they may frighten or cajole some other company into buying them up. Here the same answer really applies: we must leave commercial men to take care of themselves, and not proceed on the supposition that people in their senses will be coaxed or bullied into buying powers to make a line that is to be of no use. I should be content to abolish the Order, and there to rest. Still, it may be said, although Parliament is not called upon to prevent people from constructing useless works—if they are unwise enough so to do—it is not called upon to assist them so to do by granting them special powers for the purpose. In this view of the case an existing line should be admitted to argue the inutility of a new line. If it undertook to prove, at the risk of incurring costs, as it now would, under the Costs Act, that the proposed line would be of no service to the localities already served, nor to any fresh localities, let it come forward. That profit would be abstracted from the existing line would be an argument which the Referees or Committees would not listen to. Nor if a rival railway put forward a landowner, would he be allowed to go into this argument. Supposing, however, the ingenuity of counsel found means to introduce all these arguments, still it would be a great gain to disabuse shareholders of the notion that they are, or would be, protected interests. How prevalent this notion is, is evident from the language held at railway meetings, and by railway newspapers. "Look," it is said in the railway world, "at the recklessness of Parliament in granting so many unremunerative lines, which have only served to ruin themselves, and to beggar older lines." In this sort of language two fallacies are involved: one, that it is in some way the duty of Parliament, before it grants a line, to ascertain that it will be remunerative to its undertakers; the other, that an unremunerative line is, as a matter of course, of no benefit to the public. Now no doubt if a line be remunerative to its proprietors, we have a proof that it is of use to, and used by, the public. But the converse of the proposition is not true. The fact of a line being unremunerative does not prove it useless. It may be unremunerative from financial mismanagement, or a hundred other reasons, and yet be a useful line. To prove it useless, it must appear that the public sends no traffic by it. As to the assumption that Parliament takes upon itself to pronounce, before it grants a line, that the investment will be a good one for the promoters, it needs only to be stated to show its absurdity. Yet this Order fosters, and gives colour to, the delusion. For if Parliament is so paternally solicitous for companies in their maturity as to take care that their profits be not reduced, as those of other traders are liable to be reduced, the inference is not unnatural that it watches with equal solicitude over the prospects of infant companies.

I have now a proposition to make in reference to the *locus standi* of owners of property. There is no Standing Order regulating the appearance of a landowner whose land it is proposed compulsorily to take; but by the practice of Parliament such a person has an unquestioned right to be heard. The justice of the rule that a man should be heard in defence of his own property is, I think, indisputable. But the rule is carried in some cases to an inconvenient length. Many Bills, now-a-days, are what are known as "Omnibus Bills," that is, Bills for miscellaneous matters, such as the making, by a trunk-line, of several little branch lines, each, perhaps, twenty or thirty miles apart, the raising of capital, the re-construction of the direction, &c. Any man who has a cabbage garden, or a dung-heap, one corner of which is touched by one of these little spur-lines, now acquires an indefeasible right to be heard against the whole Bill and everything in it. This appears unreasonable, and I ask the House to give Referees and Committees a discretion, not to exclude from a hearing an owner whose property is sought to be taken, but in certain cases to limit his opposition to such portion of the Bill as affects himself.

There remains only one more point to which I wish to ask attention. I do not now intend to offer any observations upon the regulations imposed by Parliament upon the financial operations of companies incorporated by special Acts. I would, however, ask the House to consider Standing Order 155, by which Committees are especially directed to inquire into "the financial arrangements made or proposed by the company formed for the execution of the railway." I would ask the House to expunge these words. They are not the words that prescribe the ascertainment and fixing by the Committee of the amount of share and loan capital of the company: that is elsewhere provided for. They are words that make it obligatory on the Committee, in all cases, to investigate whence the promoters' money comes and on what terms they obtain it. If the words be omitted, it will still be in the discretion of any Committee, if it think fit, fully to inquire into these matters. As it is, Committees seldom enter into the question, and the Standing Order is ignored. The reasons for it have ceased to exist. Formerly it was required as a condition precedent to obtaining an Act that there should be a subscription contract binding the promoters and their heirs to find the money, or a large part of the money, required for the undertaking. The *bonâ fides* of this subscription contract and the solvency of the subscribers was then a matter for inquiry. The subscription contract proved in practice futile and deceptive, and was several years ago abandoned. The more simple and tangible security of a deposit of caution money by the promoters, to be forfeited if they failed after obtaining powers to carry out the works was substituted. By a new Standing Order adopted last Session, this deposit, whatever may have been the case hitherto, has been made, we hope, effectual as a security for the *bonâ fides* of the promoters. Private persons, aggrieved by the failure of a company to carry out its works, will, in future, be entitled to claim compensation out of this deposit for the injury inflicted on them. The words in Standing Order 155, however, are now not only obsolete, but mischievous. Taken in conjunction with the Standing Order on Competition, they engender and cherish the delusion that Parliament is bound to ascertain, and can and does ascertain, before it concedes powers for making a line, that the undertaking is financially a sound and a prudent one. The idea gives a fictitious value to the schemes of private speculators, and is a lure and a snare to investors. I therefore ask the House to amend the Order as proposed.

The summary of the proposed changes then is this: A power to the Committee of Selection to remit such Bills or groups of Bills as from the technical questions involved, or on other grounds, they think expedient, to the mixed tribunal of the Referees. The abolition of the divided enquiry between Committees and Referees. The assimilation of the practice of Committees to that of the Referees in making the opponents begin. A cheaper and more summary method of disposing of uncontested or less keenly contested cases by means of Provisional Orders or Certificates to be issued by a Department. The possible abstraction of profits from an existing work to cease to be recognized as a ground of opposition to a proposed new work. Power to the Referees to restrict opposition by a landowner to such portion of the Bill as affects his property. The removal of the obligation on the part of Committees in all cases to enquire into the pecuniary circumstances of promoters. These are changes of a more comprehensive character than have, at all events, in recent years, been submitted to Parliament; but the present lull in Private Business affords an opportunity for considering the whole subject dispassionately. At the same time they are changes that concern this House and its tribunals only—they do not touch the privileges or affect the proceedings of the other House. From this observation must be excepted the proposed application to certain cases of the system of Provisional Orders and Certificates, which, if the House be disposed to adopt it, would require an Act of Parliament. The subject of Private Bill Legislation does not give rise to popular interest out of doors, nor excite feeling within these walls; still the immense amount of property involved, and the number and extent of the private interests depending on it, render the subject eminently worthy of consideration, and will, I trust, be accepted as an excuse on my part for having brought the matter before the House. The hon. Gentleman concluded by moving—

New Standing Orders to follow Standing Order 92.

A.—The Committee of Selection may, if they think fit, refer any Private Bills to the Referees, instead of to a Committee of the House, with power to the Referees to inquire into the whole subject matter of such Bills, and to report them, with or without amendments, to the House.

B.—A Court of Referees inquiring into Bills referred by the Committee of Selection shall consist of not less than four Referees, of whom not less than two shall be Members of this House.

Repeal Standing Orders 93, 95, 96, and 97.

Repeal Standing Order 131 (Competition to be a ground of locus standi).

New Standing Order 131.—It shall be competent to the Referees on Private Bills, if they think fit, to admit the Proprietors of existing works to be heard upon their Petition against a Private Bill relating to similar works within a town or district served by them, on the ground of absence of public advantage.

New Standing Order to follow Standing Order 132.—The owner of lands or other property to be taken under the powers of a Private Bill shall be entitled to be heard on the allegations contained in his Petition, against the Preamble and Clauses of such Bill, or against part only of such Bill, as the Referees shall think fit.

Standing Order 133.—At the end add the words "or against part only of such Bill, as the Referees shall think fit."

Standing Order 151, s. 1.—Omit the words "The financial arrangements made or proposed by the Company formed for the execution of the Railway."

Motion made, and Question proposed,

"That the Committee of Selection may, if they think fit, refer any Private Bills to the Referees, instead of to a Committee of the House, with power to the Referees to inquire into the whole subject matter of such Bills, and to report them, with or without amendments, to the House."—(*Mr. Dodson.*)

Mr. STEPHEN CAVE said, he thought his hon. Friend had done good service in bringing those matters under the consideration of the House. With regard to the first proposal, there could be little doubt that if the Court of Referees worked well, as was generally considered to have been the case, there could be no reason why the jurisdiction of that tribunal should not be extended, seeing that the economy which had been produced by it had been so very beneficial to the public. His hon. Friend proposed to extend the application of the system of Provisional Orders and Certificates to railway companies, gas, and water works in certain cases, to which there was reason to anticipate that the decision of a Department would be acquiesced in without an appeal to Parliament. He (Mr. Stephen Cave) might say, in passing, that it would be a good thing if the Provisional Order were in many cases replaced by the Certificate, and *vice versâ*, with, perhaps, some machinery for amending the Certificate which did not now exist. But on general grounds there could be no doubt that it would be a great benefit to the public to be relieved, as they might be in various cases, from the necessity of proceeding by way of Bill, or, at any rate, enabled to have recourse to the simpler and cheaper form of Bill lately prescribed. Parliamentary fees were reduced in that manner, and a still greater reduction was made in the expenses of professional men, witnesses, and others, by which railways have been so heavily weighted before the first sod had been turned. When his hon. Friend mentioned throwing that additional duty on Departments it became a grave question, for the discussion of which that was not the proper moment. On what Department were they to be imposed? It could not have escaped notice how many of those subjects, such as those relating to gas, water, the purification of rivers, and others which might be arranged under the head of health of the people, were distributed almost at hazard over various Departments of the State, involving great waste of power, and the still greater evil of inconsistent action. With regard to the Department which he himself had the honour to represent, it could authorize the construction of a railway and incorporation of a company when all landowners agreed, could confer unlimited powers of raising new capital, authorize working arrangements and combinations between companies, and extend the time for selling superfluous lands—all, of course, subject to the revision of Parliament. That list might well be extended. It was scarcely worth while, for instance, to compel a company to bring in a Private Bill to reduce the number of its Directors. There was a still more important point. Under a temporary Act, 11 *Vict.*, c. 3, passed in 1847, the Board of Trade had power to extend the time for a limited period of two years for carrying out works, and they did so extend the time in the case of no less than 132 railways. There were fifty-three Railway Bills for extension of time before Parliament this Session, and if it were possible to act again under that old enactment, those companies would be saved the expense of a Private Bill in each case, and the Board of Trade might by Certificate or Provisional Order give them the opportunity of extending their time. A still more important point was that many railways had come to the Board of Trade with applications under the Abandonment clauses of the Act of last Session.

The Board of Trade would have extremely difficult questions to decide between promoters and their opponents, and he thought in many cases a just and reasonable compromise would be found in the alternative of extension of time for carrying out works. The question was so very urgent that he proposed that evening to give notice of a Bill for re-enacting the provisions of the Act of 1847. But he must observe that it was of little use to give facilities to companies if they would not profit by them; nor to endeavour to save their pockets if they preferred expense. Many companies were proceeding this Session by Bill for powers which they might have obtained by Certificate. Why they should be advised to take that course he could not tell. There had been no complaints of the working of the Act of 1864, and the companies which had proceeded in that way must have saved largely, as the Board of Trade did not charge more, he thought, than the £10 fee paid to counsel for settling the draft Certificate. It was necessary for Parliament to endeavour as far as possible to save expense in the making of railways. It must be remembered, as his hon. Friend had said, that the main lines of railway were nearly completed—indeed, not more than eighty miles were proposed by Bills of this Session—yet no one could doubt that thousands of miles of branch lines and extensions would be required in future, and those lines being short and the profit upon them small, the companies would not be able to endure the profligate and enormous expense which had been saddled on the existing lines. His hon. Friend had indicated one most important plan of relief—that of reducing to a minimum, opposition on the ground of competition alone. The hon. Member for Peterborough (Mr. Whalley) had more than once brought in a Bill with the same intention; but he would have thrown upon the Board of Trade legislative functions beyond what it ought to exercise, and would have increased expense by causing a double trial. Without going into the general question of Competition, as raised by his hon. Friend, his hon. Friend, if he understood him rightly, proposed that the Board of Trade should not entertain the question of Competition at all, but should grant a Certificate as it granted a Provisional Order, if satisfied in other respects, leaving the question of Competition to be tried, as now, by Parliament, which would be a discouragement to frivolous, but not to *bonâ fide* opposition. The Royal Commission had, indeed, stated that a company could always oppose through a landowner. True, but even then a great deal of evidence now received would be rejected by a Committee. Parliament might also improve its practice and diminish expense in the construction of railways by taking the opinion of an independent engineer—perhaps a member of the Court of Referees—on plans and estimates, instead of bewildering itself with the conflicting statements of advocates and paid witnesses. He would only advert to one other proposal of his hon. Friend—it was the last on the Notice Paper. It would not be difficult to give illustrations of the mischievous interference with railway finance in a somewhat different sense from that of his hon. Friend. He remembered a great landed proprietor coming to Parliament a few years ago for the construction of a dock with his own money, on his own land, and the Bill being thrown out on the ground of insufficiency of estimate, though if it had really turned out so he would simply have had to supply the funds from his own resources. The landowner thus incurred the expense of another Bill, as well as the loss of a year. He had heard, on the other hand, of an estimate of £300,000 being passed for work which would cost at least £600,000. This, however, was not exactly what his hon. Friend meant. His hon. Friend referred to the financial arrangements, on which he (Mr. Stephen Cave) had expressed his opinion last Session. He questioned, however, whether his hon. Friend would be right in pressing that alteration at this moment, partly because — after the extremely lax system of railway finance of which we have heard so much — any relaxation of the supervision of Parliament might be misunderstood, and partly because new Standing Orders were agreed upon only last year for the purpose of bringing into harmony the working of the Committees of both Houses. Practically a Committee of the Commons would refuse to re-open a question on that point which had been decided by the Referees. He might mention, as germane to the subject, that a provision had been inserted in a Bill about to be introduced by the noble Duke the President of the Board of Trade, to the effect that what was called the Wharncliffe meeting should precede the introduction of Bills, instead of intervening, as at present, between the inquiries of the two Houses of

Parliament, so that shareholders might have an opportunity of passing their opinion upon a measure before the initiative was taken and expense incurred. Parliament did well occasionally to review its proceedings in these matters by the light of experience, and he thanked his hon. Friend for giving them that opportunity, feeling sure that his hon. Friend's intimate acquaintance with the working of our system would prevent his doing so on insufficient grounds.

Lord HOTHAM said, he did not rise to offer any opposition to the proposals of the hon. Member for East Sussex (Mr. Dodson), nor even to enter into any discussion of their merits. The House was aware that at the commencement of every Session a Committee of Standing Orders was appointed. That Committee was nominated only yesterday, and it held its first meeting that morning for the purpose of choosing its Chairman and arranging its proceedings. The Committee were pleased to do him the honour of electing him to be their Chairman, and he could assure the House that nobody could feel more strongly than himself how inadequate he was to the discharge of the duties performed in that capacity by his predecessor, his right hon. Friend the Member for North Lancashire (Colonel Wilson Patten), who had filled that position ever since the Committee had been appointed, and who had always conducted its business in a manner as satisfactory to the country as it was agreeable to all those with whom he was associated. Immediately after the preliminary business which the Committee had assembled to transact had been disposed of, their attention had been directed to the Resolutions which the hon. Member for East Sussex had given notice that he would propose, and he was requested by the Committee to suggest to the hon. Gentleman the expediency of allowing some time — certainly not less than a week—to elapse for considering the subject, in order that the House and the Committee might have an opportunity of duly weighing the arguments by which the Resolutions had been so ably supported. It appeared to him that that was a reasonable suggestion, and taking into account the importance of the question, he felt assured the hon. Gentleman would accede to that request without rendering it necessary for him to make a formal Motion for the postponement of the discussion.

Mr. CHARLES FORSTER moved the adjournment of the debate until that day fortnight, in order that railway companies and other parties interested might have time to consider the proposed scheme.

Mr. BOUVERIE seconded the Motion. The scheme taken in its entirety would, if adopted, work a complete revolution in the mode of conducting the Private Business of the House. It was so elaborate that his hon. Friend should not then ask the House to give an opinion upon it. He should have thought that the preferable course would be to refer the question to a Committee to consider the scheme, and hear the opinion entertained by other parties connected with the Private Business of the House; but he was ready to support the proposal for an adjournment of the debate.

Mr. DODSON said, he had no objection to the adjournment, but expected on that occasion to have some further expression of opinion on the part of the House, considering that it was desirable that the subject should be discussed and ventilated. He trusted the House would not entertain the suggestion to refer the matter to a Committee. During the last twenty-five years there had been more than five-and-twenty Committees on the subject of Private Business. Every possible question that could be asked had been asked, and every possible amount of information that could be accumulated had been collected. The House must make up its mind to take the matter in hand itself, and take some decisive action upon it. The first Resolutions proposed the reference of Bills to one tribunal instead of to another, and after what was done last Session he should hope that the House would be prepared on that day week to come to a decision on the first two Resolutions. He was of course entirely in the hands of the House; but begged to point out the expediency of coming to an early decision on these Resolutions.

Mr. Serjeant GASELEE said, he thought it desirable that the discussion of the first proposal of the hon. Gentleman, which he regarded as the most important, should at all events be put off for a fortnight. This matter concerned the railway companies, and they would not have a sufficient opportunity of conferring on it in a few days.

Motion *agreed to*.

Debate *adjourned* till *Tuesday*, 3rd March.

SCOTLAND—TOLLS ON THE BRIDGE OF DUNKELD.—QUESTION.

MR. BAXTER said, he wished to ask the Lord Advocate, If it is correct that tolls, both on foot passengers and carriages, continued to be levied at the Bridge of Dunkeld by the Duke of Athole, although his right to do so has lapsed, and although the Post Office authorities have for some time refused to pay for their conveyances, which now passed free; if, in consequence of this illegal imposition, great excitement prevailed in the neighbourhood, resulting on Monday night in the destruction of the toll-gate; and if Her Majesty's Government intend to take any steps in the circumstances?

THE LORD ADVOCATE said, in reply, that he believed it was true that tolls, both on foot passengers and carriages, continued to be levied at the Bridge of Dunkeld by the Duke of Athole; but he could not admit that the right to exact those tolls had lapsed. The bridge was built in 1803 by the Duke of Athole, who was to have the right to levy tolls until the whole expenditure on the works had been repaid; and it was alleged by the present Duke that a very large balance, including interest, was due to him under that provision. There had been a litigation between the Duke of Athole and the Post Office in 1851, 1852, and 1853; and the result was that there had been an investigation into the accounts, which had since been regularly transmitted every year to the County Board. Viscount Canning, the Postmaster General of that day, had thus become satisfied that the expenditure had not been paid off by the tolls; and he had even gone so far as to say that there was no prospect of its ever been paid off. He (the Lord Advocate) was aware that considerable excitement had of late prevailed in the neighbourhood, and that there had been a destruction of the toll-gate at night by men in disguise. The question at issue was one which it was not the duty of the Government to determine; but it was manifestly the interest of all parties concerned that it should be settled; and probably the road trustees or Commissioners of Supply might have some right of interference in the matter. He would express no opinion upon the claims put forward by the Duke of Athole. That was a point which would depend upon the construction of the Act of Parliament; and upon the question whether or not the expenditure had been defrayed by the tolls.

MR. HADFIELD said, he wished to know what was the balance said to be due?

THE LORD ADVOCATE said, that the balance claimed was about £56,000.

MR. BAXTER said, he would give notice that he should move for all the accounts relating to that expenditure.

LAW OF MARRIAGE.—QUESTION.

COLONEL BARTTELOT said, he would beg to ask the Right hon. Member for the University of Cambridge, When the Report of the Commissioners on the Law of Marriage will be issued?

MR. WALPOLE said, that the Commissioners would meet to-morrow for the purpose of considering their Report.

REPRESENTATION OF THE PEOPLE ACT, 1867—COMPOUND HOUSEHOLDERS.

QUESTION.

MR. SCHREIBER said, he would beg to ask Mr. Chancellor of the Exchequer with respect to the "inhabitant occupiers" of parishes in which compounding Acts are now in force, but the whole or part of which it is proposed for the future to include within the limits of Parliamentary Boroughs, from what time the personal liability of such occupiers to the Poor Rate will commence; Whether, in his opinion, they will be in a position to avail themselves of the first Registration of Voters under the Reform Act of last Session; and whether, the repeal of a compounding Act in one part of a parish will entail its repeal in the remainder?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that the Question of his hon. Friend divided itself under three heads. With respect to the first two, his hon. Friend would find that they were specifically noticed in the Report of the Boundary Commission, recently laid on the table. The subject to which the Questions referred was under the consideration of the Government, and it would be his duty, when the House had considered the Report of the Commissioners, to introduce a Bill to carry out their recommendations. His hon. Friend would then see that the Government had duly considered the two points. With respect to the third Question, "whether the repeal of a compounding Act in one part of a parish will entail its repeal in the remainder?" he apprehended that there was no doubt that it would.

ABYSSINIAN EXPEDITION.

QUESTION.

MR. FAWCETT said, he would beg to ask the Secretary of State for India, Whether our position will not be greatly complicated in Abyssinia if it be true that the Egyptian troops are advancing into that country; and, further, to ask whether high Indian officials—namely, Sir Henry Durand and Sir William Mansfield, did not emphatically warn the Government, before the war was decided upon, that the national feeling of Abyssinia would be united against us, if it appeared that we were obtaining any aid or support from Turco-Egyptian alliance; and whether, considering these warnings, the Government, before commencing the war, obtained any assurance from the Sultan and the Viceroy that they would abstain from all interference. He also wished to know whether some of the troops were not suffering from great dearth of water; and, whether the monthly cost of freight between Bombay and Abyssinia was not £392,000?

SIR STAFFORD NORTHCOTE said, in reply, that with reference to the Question as to the serious complications which might arise from any advance of the Egyptian troops, the House was aware that it had been represented by those who were acquainted with the state of feeling in Abyssinia, that it would be very undesirable that, in any action that we might take in that country, we should invite Egyptian assistance, and therefore Her Majesty's Government had carefully abstained from asking any such assistance from that Government, and from doing anything in the nature of forming an alliance. But as our troops had to advance from a point in the Egyptian territory, and as a portion of our supplies had to be forwarded through that territory, it became necessary to enter into communications with the Egyptian Government, in order to ascertain whether there would be any objection to our using their territory with a view to our having proper facilities for obtaining supplies for the troops. These facilities were given, and, as far as communications had passed between the Egyptian and British Governments, those communications had been of the most friendly character. The Egyptian Government had intimated their desire to assist in any way that was proper, but there had been no attempt on the part of the British Government to obtain any assistance other than such as he had mentioned. With regard to the Question as to whether Government had made representations to the Egyptian Government requiring an assurance that they would abstain from all interference, he had to observe that it would hardly have been decorous to make such a request, when they had no reason to contemplate that the Egyptians would interfere, and, therefore, no such assurance had been asked for at the commencement of the proceedings. Recently, however, communications were received from the commanders of the British force that there were movements of Egyptian troops at Massowah, which appeared to indicate that there was a disposition on the part of the Egyptian authorities to send troops into Abyssinia, and it was represented that that would produce a bad feeling against the British forces in Abyssinia. Accordingly, representations were made by the Foreign Office to the Viceroy of Egypt to the effect that any movement of that kind would be misunderstood, and a request was made that His Highness would countermand any orders given for the advance of Egyptian troops. Those representations were received in a most friendly spirit, and the Viceroy stated to the British Consul that reinforcements, the amount of which had been very much exaggerated, had been sent to Massowah, but that he would order a battalion to be recalled. This was the information received by the British Government, and, in all probability, a portion of the Egyptian troops had been recalled. With respect to the reports in the newspapers, made on he knew not what authority, as to the advance of Egyptian troops, he might observe that he had received telegrams from Sir Robert Napier and Colonel Merewether since the date of the reports in question, and no reference was made in them to the advance of Egyptian troops, and he therefore concluded that the reports had reference to the earlier proceedings to which he had alluded. With regard to the Question relative to the supply of water, he had to state that he had no information to the effect that the troops were suffering from want of water. All accounts seemed to show that there was water in abundance. In a letter received from Sir Robert Napier, dated the 8th of January, it was stated—

> "The water daily condensed by the two fixed condensers and by the vessels in harbour amounts to 160 tons. Of these, 120 tons are daily placed on shore, which affords a copious supply for all the troops, followers, and animals at present at Zoulla."

Sir Robert Napier, in his last letter, dated January 25, stated—

> "This place (Koomayloo) is one of great importance to us; it has the first good water. The wells are in the bed of a river; the water excellent and plentiful, requiring only means of pumping it out. I think there is little doubt that this should be our supply for Zoulla, having the convenience of the railway to bring out the piping, and the convenience of the pipes to supply water for the engines. It is a very important question. The human consumers of water at Zoulla by the last estimate amounted to 11,500, and a failing of water would be something not to be thought of without great anxiety. Of course, as long as we have our condensers at work we are sure of a general supply, but if a bad gale came the ships might be out of gear for a time."

With regard to the monthly cost of freight, he did not know on what the calculations referred to by the hon. Gentleman were founded. All he could say was that he had no information which would enable him to name any particular sum as the cost of freight. The information he had received of course placed the cost at a very much less sum. In anticipation of the Session he had telegraphed to the Governor of Bombay for all the accounts as to the charge of transport that could be furnished. That morning he had received a considerable number of them, and he had given directions that the best Estimate that could be made should be drawn up from them. He had no reason to believe that the report alluded to by the hon. Gentleman was founded on correct information.

MR. OTWAY said, he wished to know Whether the right hon. Gentleman had received any information as to King Theodore having reached Magdala; and, also, whether any encounter had taken place with his troops?

SIR STAFFORD NORTHCOTE: We have received no such information. Those telegrams which have been received since Saturday morning make no mention of it; but, according to the latest information, he was at no great distance from Magdala. It is not probable that there had been any engagement between him and Menalek.

MR. FAWCETT said, he wished to know, Whether the right hon. Gentleman will lay the Estimate of the expense of freight, when made, on the table?

SIR STAFFORD NORTHCOTE: The hon. Gentleman must wait till I see what information has been received, and whether it is such as can be laid on the table.

INDIA—IRRIGATION WORKS.

QUESTION.

MR. KINNAIRD said, he would beg to ask the Secretary of State for India, Whether it is the intention of the Government (with the view of promoting the fulfilment of the hope expressed in the concluding portion of his speech of the 2nd of August last) to bring under the consideration of the House the question of what will be the best means to adopt for more speedily carrying out irrigation works throughout India, so as to avoid the recurrence of periodical famines and inundations, and so as best to develope the internal resources and external trade of the country?

SIR STAFFORD NORTHCOTE said, in reply, that he was not quite sure that he understood the purport of the Question of the hon. Member. It was not in contemplation to bring before Parliament any proposal on the subject; but he should be very glad to state to the House what course had been taken in India for the energetic prosecution of the work of irrigation. A great deal had been done this year. The director of irrigation works had been engaged carefully revising the projects sent up from the several provinces; and the Government had sent out an additional number of engineers. The Government had made an offer, or requested him to make an offer, to private irrigation companies to purchase their works; and the letter in which that proposal was made so fully stated the views of the Indian Government as to the mode in which irrigation works should be carried on to work well that he intended to lay it on the table, and he should therefore move for its production at once.

ADMIRALTY MONIES AND ACCOUNTS.

MOTION FOR A SELECT COMMITTEE.

MR. SEELY said, he rose to call attention to the Correspondence relating to the cost of building the *Frederick William* and of repairing the *Brisk* and the *Cadmus;* and to move for a Select Committee to inquire and report (1st), as to the application of Monies voted by Parliament for the use of the Admiralty; and (2ndly), as to the Accounts of the Department, and more especially as to the method in which they should be prepared for presentation to this House. The hon. Member said it would be in the recollection of the

House that at an early period of last year he had called attention to the constitution of the Board of Admiralty, more particularly in relation to the management of the dockyards; and on that occasion he was met by the right hon. Baronet the Member for Droitwich (Sir John Pakington), then First Lord, with the flattest denial that one gentleman could possibly give to another. The expressions he made use of were—

> "I know no process or mode of construing figures by which the hon. Gentleman can prove that ship (the *Frederick William*) to have cost £281,000. I have taken pains on this subject, and inquired of those most competent to inform me, and I cannot make out that the *Frederick William* cost more, including all her fittings, masts, and sails, than £197,000."—[3 *Hansard*, clxxxv. 609.]

The right hon. Baronet did not object to the items of the cost of that ship, but he denied the correctness of his statement. It was scarcely possible for the right hon. Baronet to give that statement a more emphatic denial; and he added—

> "This is a matter for great regret, and the only result will be that the public confidence will be shaken in statements made under such circumstances."

He (Mr. Seely) felt this very strongly, and accordingly, on the morning after the debate; he wrote to the right hon. Baronet and asked that the matter might be investigated. The Controller, before his letter reached the Admiralty, had preferred a similar request; and the right hon. Baronet perfectly concurred in the propriety of an investigation. An investigation was entered upon, and towards the close of the Session was completed. The House ordered the Correspondence to be printed, and it was to portions of that Correspondence he now desired to call the attention of the House. The statement to which the right hon. Baronet objected was made by him in July, 1866, and no exception was taken to it at the time. He had repeated it at Lincoln. But subsequently the right hon. Baronet complained that he (Mr. Seely) had selected three cases, whereas the fact was, that the right hon. Baronet had himself made the selection; he (Mr. Seely) having offered more than half a score of vessels, to show the excess of cost in public as compared with private yards. The Controller in his letter of the 10th of July admitted that, accepting his definition of the words "cost, building, and repairs" as correct, he could not take exception to his figures. Therefore, so far as his (Mr. Seely's) own accuracy was concerned, when he defined what he meant by the word "cost" he might fairly leave the matter to the admissions of the Controller. But there were some questions of public interest in this Correspondence. The Controller said that he (Mr. Seely) included in the word "building," as applied to the *Frederick William,* conversion, maintenance, wear and tear, and repairs, which the Admiralty omitted. The total expenses from 1841 to April 1, 1865—a period of 24 years—were materials and wages, £197,988; indirect charges, £60,613; or £258,601; and to this pensions and interest — items which had to be taken into account in the cost of ships — ought to be added, £25,860—making in all £284,461. But the Controller said that "maintenance" must be included in the cost of the *Frederick William;* if, therefore, there was an error, it was on the part of the Admiralty in including in the statement the charge for maintenance. What did that amount for maintenance come to? This raised another question—When did the charge for building cease? Now, in the Navy Ships' Account for 1861-2 were the following words:—

> "In order to institute an exact comparison of the cost of ships built in different places, it has been arranged between the Controller of the Navy and the Accountant General that in future (*i. e.*, after April, 1863) the capital account of the cost of every ship shall not be closed until she is fitted for sea and has left the port in commission."

Now, the *Frederick William* was commissioned in June, 1864. Up to that time, therefore, everything spent on that ship must be included, according to this official definition, in the term "building." Now, from June, 1864, to the 1st of April, 1865, there was charged to the *Frederick William,* materials and wages, £939 16*s.* 10*d.*, and indirect charges of the Admiralty, £365, making £1,305. Deducting this amount from the cost of the ship, there would remain £257,296, according to the Admiralty's own figures. Deducting £1,305, the cost of maintenance when in commission, with £130 for pensions, interest, &c., from his £284,461, there would remain £283,026 for the cost of the *Frederick William.* The Admiralty admitted his figures to be correct; for, in order to give the right hon. Gentleman (Mr. Corry) the means of answering him fully and clearly on this occasion, he wrote to him a fortnight ago to say he should be very glad to put before him his statement in support of his Motion. The right hon. Gentleman accepted the offer, the figures had been examined, and were generally shown to be correct. In the Correspondence the Controller objected to the calculation respecting the cost of the repairs of the *Brisk*, because he (Mr. Seely) had taken two years when that ship was in commission. Striking off these two years, and taking the two years accepted by the Controller, the amount was £38,052, which, added to £3,805 for pensions and interest, made £41,857, or £1,641 less than his statement, while the *Cadmus*, in the same way, only cost £20 less. His original statement, then, was that these three ships cost—the *Frederick William* for building, and the *Brisk* and *Cadmus* for four years' repairs—£390,989; while it seemed that excluding the £1,405 for maintenance in commission, and the two years' repairs objected to by the Controller, the cost was £390,663, or less by £326. The right hon. Baronet (Sir John Pakington) had given the cost of building the *Frederick William* at £197,000, the building of the *Brisk* at £59,703, and that of the *Cadmus* at £85,705. Now, he admitted that a gentleman might use the term "cost" in any sense, provided only that his hearers understood in what sense; but if it were used without definition it would be in the ordinary sense of the term. Now, the right hon. Baronet must have used it in two different senses, because when he spoke of the *Frederick William* he excluded £60,000 for indirect charges, but when he spoke of the *Brisk* and *Cadmus* he included indirect charges. It appeared as though it were the interest of the Admiralty to make the cost of building the *Frederick William* as small as possible, because he (Mr. Seely) was contrasting it with the cost of building her in a private yard; while the Admiralty appeared to wish to swell the cost of the *Brisk* and *Cadmus* because he was then making a different contrast. He (Mr. Seely) had also stated that the *Frederick William* might have been built for £134,453, and he would now give the grounds upon which he had made that estimate. He had found that the Admiralty had bought certain vessels at £22 10*s*. per ton, and he referred to Mr. Eyde's book to ascertain what would be the increase of cost for such a vessel as the *Frederick William*. He found that it would be £3 3*s*. 8*d*. per ton, and adding that to the cost of £22 10*s*., and allowing £23,000, or £7 6*s*. 4*d*. per ton, for the full equipment, sea stores, and engineer's stores, he got £106,953, or £33 per ton. He added to that the engines at the rate of £55 per horse, which gave £27,500, making a total of £134,453. The Controller contended that there had been improvements since the vessels on which he based his data were bought, but the fact was they were built only just before, during 1861 and 1862. The Controller also said that some of the vessels had machinery, and some not; but there was not one of these vessels that had not machinery. He (Mr. Seely) had referred on a former occasion to the expenditure by the Admiralty since 1841 of £170,000 more for anchors than the market price. In the correspondence he found no reply to that assertion. He observed that this was a grave charge against a public Department, and that the Admiralty should clear themselves from it if they could. The right hon. Baronet made no definite reply, but it was intimated to him that there was no market price for anchors. Now, he (Mr. Seely) had brought down the price-lists of no less than thirteen anchor-makers during a series of years, and if the right hon. Baronet liked to look at them they were at his service. The right hon. Baronet continued—

> "The hon. Gentleman told us last year that the Admiralty anchor was almost the worst in existence, and that the result of an inquiry before a Committee was that of eight different descriptions of anchor the Admiralty anchor was found to be the worst except one. The Admiralty anchor to which he then referred was, however, a different one from that now in use, which has been very much altered and very much improved in its construction by the makers Messrs. Brown, Lenox, & Co."—[3 *Hansard*, clxxxv. 607.]

Since that statement was made he had gone down to Woolwich with his hon. Friend the Member for Rye—who was a captain in the Navy, and knew much more about anchors than the right hon. Gentleman—and with two other gentlemen who were competent to give an opinion. They saw anchors that were made previous to 1853, when the Committee in question reported, and anchors made up to 1865, and they came to the conclusion that there was no practical difference between them. The right hon. Baronet complained that he should make—

> "These charges and complaints of extravagance, which excite an outcry from one end of the country to the other, by means of figures which I believe to be entirely erroneous."

Now, there were only two modes of putting an end to these complaints. One was by refusing to give any opportunity of ascertaining what was going on by holding back returns, and by so publishing accounts as to prevent hon. Members from discovering the truth; and the other was the simpler and wiser course of removing the grounds upon which these complaints were made. He was glad to have done with these personal matters, but they really bore upon the more important part of the Motion he had to make to the House, namely—the appointment of the Select Committee to investigate the accounts of the Department, and especially the manner in which they are prepared, for it appeared that Sir John Pakington had stated that the *Frederick William* had cost £197,000, the Controller £258,000, and he (Mr. Seely) £281,000; and surely if accounts could reveal such different results to different people they required investigation. Now, it appeared to him that what was required in accounts was that they should be clear, should show all the money that was received, and what was done with it. There were four main accounts connected with the Admiralty—the Navy Estimates, the Navy Savings and Deficiencies, the Manufacturing Account, and the Navy Ships' Account. Now, the Navy Estimates did not tell what amount was required for shipbuilding. They gave a total of wages paid to seamen and marines for 1867-8 of £2,900,952, and a total for victuals and clothing of £1,241,614; but they did not tell how much was wanted for shipbuilding. He defied any hon. Member of that House, he defied the cleverest accountant in London, or even the First Lord of the Admiralty himself, to take any of the past Estimates and point out how much money was required for shipbuilding. Now, the first point which he would submit to a Committee was, whether it was not desirable that the Admiralty should state distinctly how much money they asked for shipbuilding purposes, then it would be seen that items were excluded which ought to have been included in those accounts? Then there was the Savings and Deficiencies Account, which showed the money expended as contradistinguished from the money Vote; then the Manufacturing Account, which gave details of the various articles made; and, lastly, the Navy Ships' Account, which was an account of the expenses incurred on Her Majesty's ships, building, converting, repairing, and fitting during the financial year. In the financial year 1865-6 there were, perhaps, 800 ships building, converting, repairing, and fitting, upon which money had been expended; but in not a single instance was the cost correctly given. The whole expenditure might be divided into three heads—first, wages paid to shipwrights, amounting in 1865-6 to £586,786; secondly, materials, £843,534; and thirdly, indirect charges, £956,216. Now, the wages paid to shipwrights and part of the cost of materials bought were charged correctly; but the cost of materials which were manufactured in the dockyards, such as timber and converted iron, could not, according to the mode in which the Admiralty accounts were kept be correctly given, because they had one rate book price which was made up of the accounts from all the seven dockyards. As an instance of the difference of the cost of the same article in different dockyards, he would just give the cost of three topsail yards. It appeared that in 1863-4 three topsail yards at Portsmouth cost £434; the charged rate price was £150, or too little by £284. At Devonport there were two lower masts charged £63; they only cost £33, so that they were charged £30 too much. And these charges were all lumped together in the several dockyards, and the average price taken. The figures he had given were admitted by the Admiralty to be correct. At Portsmouth in 1862-3 there were three launches built at a cost of £655; they were charged at ships' rate price, £415, or £240 too little; boats fitted cost £1,593; the rate price charged was £799. He held in his hand a whole list of different articles, in which masts cost £377, while the rate price charged was £228; topgallant yards charged £421, while the cost was £632; topsail yards charged £150, the cost being £434, and so on. At Devonport, generally speaking, the cost and the rate-book price were the same. He now came to indirect charges which formed a lump sum of £956,166 in the Estimates of 1867-8. They were altogether incorrectly charged. They were all lumped in the several yards and then charged *pro ratâ* over the different dockyards—even to the extent of distributing them over the foreign yards. As an example of the ridiculous manner in which the accounts were kept he might state that salaries and expenses abroad were 92½ per cent on wages, while those at home were only 22½ per cent. Abroad, yard and factory wages were £46,773, salaries and expenses £40,379; ships were charged £10,000, as part of the indirect charges, it should be more by £30,000. At home, yard and factory wages were £1,064,635, salaries and expenses £223,141, ships were charged as part of indirect charges £253,000 or £30,000 too much. Then in our yards at home he found that, while at Deptford yard and factory the wages were £47,879, and the salaries, &c., £13,164 or 28 per cent, at Chatham the wages were £182,000, and the salaries, &c., 17½ per cent. Such accounts, he submitted, were perfectly misleading. Sir James Graham, one of the ablest Administrators who had ever sat in that House, when examined before the Royal Commission, used these words—

> "An account misrepresenting values is infinitely more dangerous than no account at all. An imperfect account is, in my humble judgment, infinitely worse than none."

And now he (Mr. Seely) came to the Manufacturing accounts, with regard to which he was obliged to refer chiefly to the years 1862-3-4, because, since his hon. Friend the Member for Halifax (Mr. Stansfeld) was taken from the office he had filled so well, the accounts had become very meagre, and what was formerly given in five pages was now compressed into as many lines. There was a great advantage in being able to check the cost of particular articles, and that was illustrated by his being able to point out to the Admiralty some years ago, in consequence of the detailed accounts, that they were in the habit of charging iron in the dockyard in such a manner that that which cost 10*s.* a cwt. was charged 5*s.* to one class of forgings and 35*s.* a cwt. to another. He might be told that in giving those charges in detail considerable expense would be incurred, but he submitted that the Controller must have these charges brought before him, if he were to exercise any check at all over the cost, and then all the additional expense for furnishing the House with details would be the cost of printing, which would be a very proper matter for the consideration of the Committee. Many of the charges in particular shops—such as the wages of the foremen of smitheries, inspector of smiths, and so on—were not charged to those shops, but were lumped together, and formed part of the £956,216 charged for ships building, converting, and repairing, so that it appeared that a portion of the cost of the foremen of smitheries at Portsmouth and Devonport was charged to a ship repaired at Malta. He would next briefly call attention to the many changes which had been made in the mode of preparing the accounts. In 1864, according to the method in which the accounts were placed before the House, the excess of cost over rate book was stated at 2¾ per cent; but a sum of about £800,000 had been charged for articles having no rate book price, and if that sum were deducted the excess would probably amount to 5 per cent. From 1858 to 1861 the wages and materials used upon ships first appeared in the accounts as forming the whole of the Admiralty stated cost of such ships. In 1861-2 an addition was made of about 20 per cent for different and further charges, and in 1864-5 a further addition was made of 20 per cent for other items, so that no less than 40 per cent was added in the course of a few years. The effect of this was, that ships put down in the accounts as costing at one period (in 1858-9 for instance) £1,507,212, would be put down at another period (that is in 1864-5 or 1865-6) as having cost no less than £2,118,213. He came now to the sums which ought to be included in the cost of ships, and here he would remark that Sir James Graham expressed his opinion before the Committee of 1861 that "the account will be imperfect unless every kind of charge which a shipowner would bring to book is carried to account." But how far had the Admiralty acted on that opinion? In the first place not a single shilling was charged to ships in respect of constructors and clerks, whereas private shipbuilders had paid designers, whose salaries were paid by the vessels built by them. Then there were pensions to artificers and clerks, amounting to £176,000 upon an average of the last thirty-five years; and he apprehended that a fair and reasonable charge would be about £127,500, but, notwithstanding this, he believed an attempt would be made on the part of the Admiralty to fix this item at £52,501 — a rather odd proceeding— though he was aware that the Government had consulted Mr. Finlaison on the subject, and he had recommended that £50,000 should be charged. Another question which might properly engage the attention of the Committee was whether £44,787 was a sufficient amount to charge for interest upon a total capital in plant and stores of £18,000,000, which, at 3½ per cent, would be £630,000. As to depreciation, 5 per cent, and sometimes 10 per cent was charged in private yards, and though in the Admiralty accounts of last year there was a charge under that head of £78,187—and he acknowledged that it was a step in the right direction—the sum was hardly sufficient. As a proof of the desirability of having the accounts presented in a form not quite so misleading he mentioned that the Duke of Somerset had stated in a pamphlet and in speeches that during the five or six years he was at the Admiralty there had been expended £10,000,000 exclusive of machinery and ships of war, whereas in those years there had actually been expended £14,000,000, the difference being due to the exclusion by the noble Duke of the indirect charges to which he (Mr. Seely) had alluded. Last year the House voted £888,588 for the purpose of new works, machinery, repairs of plant, &c., and the expenditure for new works for the last thirteen years had averaged about £600,000 yearly. A considerable part of this was strictly for shipbuilding and manufacturing plant—therefore it would be seen that the sum charged by the Admiralty to ships for interest and replacement of plant was too little; still this was certainly a step in the right direction. Before he drew attention to the matter, no charge was ever made even for repairs of plant, but the Admiralty now admitted that the actual expenditure for repairs ought to be included in the accounts. Probably there would be a repetition of the old argument—that we must always have our dockyards in an efficient state, in order that they might be useful to us and capable of great extension in time of war; but he wished to point out that during the last nine years we had spent on the average about £440,000 a year in buying ships. That was a proof that our dockyards had not been too extensive for our present wants, for he could hardly believe that the Admiralty would have allowed their plant and their men to remain idle while they were purchasing ships. Then as regards the application of the monies voted by Parliament for the use of the Admiralty, he thought it was a fair question to submit to a Committee, whether it were wise that the Admiralty should pay £29 per ton for gunboats constructed in their own yards when they could purchase them at from £20 to £24 per ton, which would make in one instance a difference of £4,000 in the price. He might mention that Mr. Thompson, of Glasgow, who constructed boats for the Cunard Company, and therefore presumably a very respectable builder, had constructed gunboats at about £25 per ton. There was another point which might be advantageously referred to the consideration of a Select Committee. Some time ago he asked the noble Lord the Secretary to the Admiralty (Lord Henry Lennox) for a Return of the cost of chain cables, and the House granted the Return; but he was subsequently informed by the noble Lord that its publication would be injurious to the public service. Under these circumstances, of course, he gave way and did not press for the Return; but he could not help expressing his belief on the present occasion that the noble Lord had been deceived, and that the contract with Brown, Lenox, and Co., for chain cables, ought to be investigated in the same way as their contracts for anchors. He (Mr. Seely) would now call attention to the articles which the Admiralty sold to friendly Powers, merchant ships, and private individuals. With regard to articles sold to friendly Powers, it appeared that 10 per cent over the rate — that is, the average cost of the raw materials or labour — was charged, and 20 per cent for those sold to private individuals for merchant ships, 10 per cent extra being charged for freight if abroad. The goods so sold during the five years 1861-2 and 1865-6 produced £272,065. Now, the indirect charges on all materials, bought or made, and on labour in ships, was in 1864-5 38¾ per cent, and in 1865-6, according to the Admiralty's own account, 60 per cent. Assuming the percentage between 1861 and 1864 to have been the same as in 1864-5, the actual indirect charges on these articles had been £101,999, whereas the 10 per cent charged to friendly Powers only came to £24,727; so that had all the articles been so disposed of the transactions would give a loss of £77,272. If, on the other hand, they had all been sold to private persons, the 20 per cent charged amounted to £47,205, while the real indirect charges were £92,726, showing a loss of £45,521. Taking the mean between these alternatives, the loss on these transactions had been £61,396, or £12,279 per annum. Now, he had no wish that the Admiralty should make a profit by their transactions, but he did not think that they should sell at a loss of £12,000 a year. These were the main facts which had induced him to ask for a Committee. They certainly had not any regular account for the money that the Admiralty asked for shipbuilding, and the consequence was that they could make the accounts more or less as it pleased them. During the last five or six years there had been three different methods of keeping the accounts, and it was high time that a proper system should be introduced. The Royal Commissioners reported in favour of their being kept so as to show the exact cost of each ship, believing that an emulation in economy would thus be excited between the different dockyards ; and the right hon. Baronet opposite (Sir John Pakington), when examined before the Committee of 1861, admitted the justice of that conclusion. Unless the accounts of each dockyard were kept separately, it was impossible to arrive at the exact cost of ships ; but if that separation were made it would probably be found expedient to give up or disuse one or two of the yards. Lord Clarence Paget, in his evidence before the Commissioners, stated that superintendents should be informed of the cost of vessels in each yard, and that the Board should promote those who were found to manage economically. If, however, these expenses were lumped together and distributed *pro ratâ* over all the ships, and if the same course were taken with the greater portion of the materials, the accounts thus "mingled and muddled" were useless, and it was impossible to compare the cost of articles manufactured in our dockyards with that of similar articles manufactured by the private trade. Mr. Walker, the head of the Audit Office, in his evidence last year before the Committee on Public Accounts, admitted that as the store accounts were not examined by that office, the Admiralty might make presents of their stores right and left without any check whatever upon them. Surely this state of things required amendment. How this Motion would be met he did not know. The statements he had made could not be controverted ; but the right hon. Gentleman (Mr. Corry) would probably adopt the course usually taken by officials when not disposed to concede what was required, and would urge delay, and promise to make an investigation. There had, however, been too much delay, and he hoped the House would not tolerate any more. The Duke of Somerset, before the Committee of 1861, said—

> "My opinion is that the accounts are not yet perfect ; but, in his report, Mr. Anderson states that up to 1830, for 100 years, the accounts had been more imperfect than they had begun to be from that time. From that time the accounts began to improve, and they have gone on improving at different times ; so that, although the accounts are far from perfect, I believe that any-one who looks into them now, and looke dinto them in former days, will say that, with all their imperfections, they are better than they have been before."

Only three months previously, however, the Royal Commission, of which the Duke was a member, reported that the system of accounts, though elaborate and minute, was not to be relied upon for any practical purpose, and with this opinion he himself (Mr. Seely) fully agreed. There ought to be no difficulty nor any difference of opinion as to the proper way of keeping accounts ; and there were hundreds of men in the metropolis, and many doubtless in the House, who could accomplish so simple a task. It might be difficult to manage a large dockyard or a large manufacturing establishment, but there surely was no difficulty in rendering clear accounts.

Moved, "That a Select Committee be appointed to inquire and report (1st) as to the application of Monies voted by Parliament for the use of the Admiralty, and (2ndly) as to the Accounts of the Department, and more especially as to the method in which they should be prepared for presentation to this House."—(*Mr. Seely.*)

MR. CORRY said, the hon. Member who had just sat down (Mr. Seely) was reminded last year by his hon. Friend the Member for Halifax (Mr. Stansfeld) that criticism, if it were unjust or exaggerated, lost more than half its value. Now, he (Mr. Corry) must say that he never heard a criticism more unjust or more exaggerated than that in which the hon. Member had indulged, as to the cost of the *Frederick William*, or anything more unsustainable than his statement as to the cost at which a similar ship could be built in a private yard. He wished to remind the House what the statement of the hon. Member to his constituents was respecting the cost of the *Frederick William*. He stated in his speech at Lincoln—

> "The *Frederick William* cost — adding the items which a private shipbuilder would have to charge—the sum of £281,691, in building. She could have been built for £134,453, so that the loss on that transaction was £147,138."—[*Cries of* "Shame !" *and laughter.*]

Now, the gentlemen the hon. Member addressed had, probably, very little idea of what ought to be the cost of building a screw line-of-battle ship in a dockyard, or what the cost of the same description of vessel would be in a private yard. But what excited their indignation and merriment, was the statement that work which could have been done for £134,453 in a private yard, should have cost in a dockyard £281,000. But when the hon. Member (Mr. Seely) made this statement he was absolutely ignorant of the thing he was criticizing. He had no conception of what sort of ship the *Frederick William* was. He thought she was built originally as a screw vessel; for what did the hon. Gentleman's secretary, Mr. Fellowes, admit in the Papers which had been laid before Parliament? He said that the hon. Member for Lincoln "was not aware she was a converted vessel, nor that she had been from twenty-four to twenty-six years under conversion." The hon. Member was perfectly ignorant of all this, and yet now, when he knew it, he still persisted in the accuracy of his figures. Such a course on the part of an hon. Gentleman who claimed to be so precise in matters of account hardly came within his comprehension. What was the work done to the *Frederick William*, over and above building her as a screw line-of-battle ship? Was she laid down in 1841 as a two-decker? No such thing, but as a three-decker; and the average cost, as he (Mr. Corry) knew, of building a three-decker in those days was £25,000 more than that of building a two-decker. She was not only laid down as a three-decker, but perfectly completed as such in her hull, with the single exception of her fittings; and on this vessel so built as a three-decker, £84,000 had been expended, as appeared from the figures furnished by the Controller, on which the hon. Member's calculation was based. And yet, although now knowing that this sum had been spent upon her as a three-decker before she was taken in hand for conversion, the hon. Gentleman still said that his figures and comparison were correct, and that the same work would have cost only £134,000 if done by the private trade. The hon. Member dealt with such large figures that he (Mr. Corry) supposed he considered such a trifle as £84,000 to be beneath his notice. In 1850, circumstances had occurred, which justified the Admiralty of the day in not completing the *Frederick William* as a three-decker. As he was at the Admiralty from 1841 to 1846, he could say of his own knowledge that the Board to which he belonged left behind them four line-of-battle ships in course of conversion into screw vessels. They were shortly afterwards tried with such satisfactory results that the Admiralty in 1850 did well to hesitate before going on with the building of sailing three-deckers. The suspension, therefore, of the completion of the *Frederick William*, as originally designed, which was one of the things for which the Admiralty of that day had been blamed, was a very proper measure, although her conversion was necessarily attended with a great loss of labour and materials. A whole deck, with the poop and forecastle had to be removed. She was cut down to a two-decker, her form was altered by lengthening her for the screw, which added nearly 200 tons to her burden. She was then finished at a total cost of £197,000, which included fittings and stores of all descriptions, and her maintenance for a considerable period in the Reserve, and yet the hon. Gentleman, who was ignorant of all this when he made his comparison, still asserted that the cost of a ship so treated was to be fairly compared with that of a ship built *ab initio*—as a screw vessel by the private trade—which he imagined could be done for £134,453. He (Mr. Corry) thought that was not a fair or just criticism. If he had been in the hon. Gentleman's place when he had made such a mistake, he would have written to the Controller of the Navy, and admitted his error. But the hon. Gentleman, while he admitted through his secretary his ignorance of the thing he was criticizing, still thought proper to adhere to his criticism. He said that the capital account of a ship was not closed until she was put into commission; and, therefore, he put down everything from the laying down to putting her into commission, as included in the cost of building the ship. Now, this appeared to him (Mr. Corry) to be a mere quibble. Everyone knew that in the building of a ship, anchors, tanks, sails, masts, yards, rigging, and stores of all descriptions, were not included. Yet, the cost of all these articles, as well as the maintenance of the ship in the Reserve, was added by the hon. Member to the cost of building her, because, according to the technical mode of keeping the Admiralty accounts, the capital account was not closed until the ship was commissioned. But now he would go on to the hon. Gentleman's statement that a ship similar to the *Frederick William* could be built for £134,000 in a private yard. If he had not the Papers before him, he should wonder how the hon. Gentleman arrived at such a conclusion, because no existing private shipbuilder had ever built a line-of-battle ship, and therefore none could say off-hand at what cost he would undertake to build such a ship. There was a time when line-of-battle ships were built in private yards. During the great war forty line-of-battle ships were built by private shipbuilders, and they were known by the name of the "Forty Thieves" on account of the quantity of money they ran away with. Did the hon. Gentleman suppose that if the Controller of the Navy went to the trade and asked them what they would build a line-of-battle ship for, they would not first ask to see his specifications? They would say "We have never built a line-of-battle ship, and we do not know anything about your scantling, your magazines, your bulkheads, your gun fittings, and other arrangements." And yet the hon. Gentleman jumped to the conclusion that the private trade would build such a ship for £134,000. Now, on what ground did he make that statement? By inference alone. He instanced certain small ships that had cost £22 10*s.* per ton, and £7 6*s.* 4*d.* for equipment. And then he said that Mr. Eyde added an additional cost for line-of-battle ships of £3 3*s.* 8*d.*, making a total of £33 per ton. The hon. Member's calculation was entirely a question of inference. He omitted to state that even of the ships he had enumerated, the *Fenella* and *Hunter* were never completed, and that the other two, the *Jasper* and the *Jaseur*, cost an additional £4 3*s.* per ton each, to complete in the dockyards. He would now state one or two facts to disprove the hon. Gentleman's inferences, and to show that he was wrong in thinking the *Frederick William* could have been built for the sum mentioned in private yards. First there were two troopships—the *Tamar* and the *Orontes*—built in 1861 by contract. The tenders for these ships varied from £21 10*s.* to £30 2*s.* per ton. One was built for £26 18*s.* 4*d.*, and the other for £28 7*s.* 4*d.* Additional claims were made by the contractors—in the one case for £13,801, and in the other for £21,855. These claims were not recognized by the Admiralty, because they held the contractors to the terms of their contract, but they believed that the contractors were this money out of pocket. The total for hulls, incomplete and without equipment, would have been £89,483 in the one case, and £101,618 in the other. Including engines—which were purchased by the Admiralty from other contractors — and masts, yards, rigging, and stores, which were supplied by the dockyards, the total cost came in the one case to £130,601, and in the other to £138,693, being, exclusive of various fittings afterwards added in the dockyards, in one case £46 4*s.* 6*d.* per ton, and in the other £49 3*s.* per ton. Yet, although these ships were not vessels of the scantling, and with the fittings of line-of-battle ships, the hon. Member said that a ship like the *Frederick William* could have been built complete for £41 9*s.* 8*d.* There was another case still stronger. The five India troopships were built by contract in 1865. Their tonnage averaged 4,173 tons. The average payment to contractors was £46 14*s.* per ton. This amount was raised by additional work in the dockyards to £50 6*s.* per ton. The contractors in this case also declared that they had lost by the transaction; yet the hon. Gentleman said that a screw liner, with scantling and fittings, which were very costly, for heavy guns, could be built for £41 9*s.* 8*d.* per ton, which would be the rate for a *Frederick William*, including engines, at the cost of £134,000. But let it be assumed for a moment that the ship in question could have been built for £134,000. The price of a thing proved nothing. Price must be considered with reference to value. You could buy almost any article at any price; but it did not follow that because a thing was low in price it was therefore cheap, or because it was high in price that it was therefore dear. A philosopher of antiquity said we ought never to predicate happiness of a man until after his death, because, however prosperous the first part of his life might have been, he might afterwards suffer misfortune greater than his former prosperity would compensate. So he would say of a ship, do not predicate anything about her cheapness until you know something of her latter end. It was very important to show that ships which were the cheapest in the first instance were not always very cheap in the end, because the object of the hon. Member was to drive the country into building its ships of war by contract instead of in the dockyards. [Mr. SEELY: I never said any such thing.] The hon. Gentleman observed last year that if the country wished to build its ships in the dockyards let it do so, but let it do it with its eyes open, and know that it cost (he believed he said), 50 per cent more than in a private yard — and he thought that was much the same thing as trying to induce the country to give up building in the dockyards. The subject was not new to him (Mr. Corry). When he was Civil Lord of the Admiralty, in 1843, he wrote a paper, of which he held a copy in his hand, upon the state of the dockyards, which was printed for the use of the Cabinet, and which led to the undertaking of many important works. In that paper he referred to the great loss sustained in consequence of the enormous cost of repairing ships in ordinary. His argument was that the longer a ship remained on the slip the better, because the more the wood would be seasoned and the longer the ship would last. He referred to 38 line-of-battle ships, of the age of 25 years and upwards, which were then on the sea-going list. Twelve of these belonged to the unfortunate ships once known as "The Forty Thieves." The average price of these was £54,500; but these contract-built ships soon began to show signs of decay, and they cost on an average £59,476 in repairs in the first 12 years of their existence; in other words, their repairs in 12 years exceeded their first cost by £4,976, and in 12 years a total of £113,976 was expended on the average upon each of them. On the other hand, the average cost of the dockyard-built ships was £63,131, and the average cost of repairs in from 25 to 30 years was £40,000, making their total average cost in that time £103,131 each. It, therefore, appeared that the dearly built dockyard ships cost on the average £10,000 less in 25 years than the cheaply built contract ships cost in 12 years. The hon. Member would say, "These are references to old times; you must not judge of the present by such antiquated illustrations." Well, between 1859 and 1861, 12 small ships were built by contract at £23 a ton, and the hon. Gentleman, in the paper which he had submitted to him at their interview, contrasted them with six dockyard-built ships, which he estimated to have cost £39 per ton by the addition of his 35 per cent for incidental charges. Of the 12 cheaply-built contract ships five had disappeared altogether, being found too rotten to be repaired, after an average service of five years; one was about to be broken up——

MR. SEELY wished to know the authority from which the right hon. Gentleman derived his figures?

MR. CORRY said, he was quoting from a statement which the hon. Member had put into his hands at the interview he had the pleasure of having with him at the Admiralty a few days ago. Of these 12 ships, five were broken up after an average of five years' service, being too rotten to repair, one was now under orders to be broken up from the same cause, and the six survivors, of which the contract price was £9,844 each, had each, on the average, cost £7,200 in repairs. So much as to positive facts in relation to ships built by contract. The whole of the six extravagant dockyard ships built at the same time were still in the service, and the expenditure on them for repairs had been only on the average £3,968 each. It was, however, useful to inquire not only what ships cost to build, but how they broke up, and what was their comparative condition at their last stage. To obtain information on this point he wrote to an eminent ship-breaker in the West of England, who had broken up a great number of Her Majesty's ships, some built in the dockyards and others by contract. The answer to the letter of inquiry was as follows:—

> "SIR,—In answer to your letter of the 14th instant, we most respectfully beg to inform you, from our experience in breaking up Her Majesty's ships, we have found, as a rule, those built in the dockyards are considerably superior to those built by contract, as in many instances in the contract-built ships we find the timbers defective and very rotten, which we consider arose from the timber being used before it was properly seasoned."

The interest on timber kept to season in the dockyards was one of the charges against dockyard-built ships, which the hon. Gentleman (Mr. Seely) adduced as proof of Admiralty extravagance.

> "And as regards the fastenings in the contract-built ships, we found a great many dummies, or short copper bolts only partially driven into the plank, and not through the timbers as they should have been; and even the knee-bolts in some instances were only three or four inches long, which is a very serious thing, and the work generally in the building these ships was of a much rougher class than those built in the dockyard, more especially in the framing."

He had a letter from the shipwright officers at Chatham confirmatory of this opinion, derived from the breaking up of contract ships in that yard; but he would not occupy the time of the House by reading it, as greater weight would be attached to what was said by a gentleman wholly independent of the Admiralty. He had no intention of disputing the accuracy of the figures as to the cost of the work executed on the *Frederick William*, assuming that the hon. Member's principle was correct, but he wholly dissented from that principle; and, indeed, he dissented from the admissions in respect of percentages and other charges made by the Accountant General of the Navy, who, he believed, had since seen his error in making them. The hon. Member wanted to charge interest upon all the plant, buildings, docks, basins, machinery, the stock of timber, and every article in store while a ship was in course of building. It was true that a private shipbuilder must do so, because he acted upon the principle of supply and demand, profit and loss, and he must suffer if he provided more docks and slips or kept a larger stock of timber and other articles in store than he required for his immediate purpose. But the Admiralty did not and could not conduct their dockyard affairs upon strictly commercial principles, and they would utterly neglect their first duty if they were to do so. They were obliged to be prepared at all times for the emergency of war, and to maintain the dockyards and the stock of various articles of store, and the establishments, on a corresponding scale of preparation. What would be our position if we had to commence the building of docks and basins when war broke out, and when the additional accommodation required would be indispensable to the maintenance of the efficiency of the fleet? It was absolutely necessary that this accommodation should be provided beforehand; and to charge the interest of their cost on the limited amount of work executed in time of peace would be most unreasonable. They were in the nature of an insurance made for the protection and safety of the country, and it was impossible to deal with them on commercial principles. The Admiralty had charged the sum of £47,000 against the ships in 1864-5, as interest, at 3 per cent, on final productions of the yards, which he thought was not an unreasonable or unfair charge; but he totally denied the right of the hon. Gentleman to calculate those charges on the principle he had adopted. The House should remember that the charges by means of which the hon. Member had made the work in the dockyards appear to be so extravagant were only assumed charges, and that not one shilling of public money had actually been expended on the *Frederick William* beyond the £197,000 specified in the printed correspondence, although the hon. Member, by one of his methods of calculation, made her to have cost £332,000, which he could only call figures run mad. He would give an illustration to show the absurdity of the principle which the hon. Member had laid down. When he was first appointed to the Admiralty in the year 1841, a frigate of fifty guns—the *Worcester*, was occupying a slip in Deptford Dockyard. Not having being wanted for immediate service, instead of being launched she was left to season on the slip by way of experiment, and there she remained for the period of about eighteen years. If she had been launched immediately on completion, she would have been sent up the Medway to form part of the Reserve, which it is necessary to maintain in sufficient force to meet the emergency of war, and the process of decay would have commenced from the moment she was put into the water. Calculated at the average rate, if she had been required for service at the end of the eighteen years, she would have required little short of half her first cost, which was about £40,000, to put her in a sea-going condition; but, in consequence of having been left on the slip, instead of being launched, the actual estimate for the repairs she required when launched was only £162. Therefore on that one frigate by that experiment there had been a saving of about £20,000 in hard money, which would otherwise have had to be voted in the Navy Estimates. The example of France was constantly held out to us for imitation, and the system of allowing ships to linger on the stocks, as it was now reproachfully called, was universally adopted in the French Navy in the days of sailing ships. In order to carry out this system, and thus avoid the enormous expense occasioned by the repair of a large reserve of ships afloat, the French increased the number of their building slips from 28 to 111; and their practice was to allow their line-of-battle ships and frigates to remain on the stocks, like the *Worcester*, completed up to 22-24ths until required for service. The example of the *Worcester* was an illustration of the saving which was thus effected; but, according to the hon. Member's principle, this was all a mistake, because some imaginary percentages which he would have charged against her on account of plant, buildings, machinery, and other such items during eighteen years, would amount to perhaps more than what had been saved in hard money on the score of repairs. It really appeared to him that this was an absurdity. Again, before the days of armour-clad ships, a great number of ships were built at Pembroke because it was the cheapest yard. There were thirteen slips at Pembroke, and on every one of them, in former days, a ship was usually being built; but on visiting that yard last year he found that in consequence of the introduction of iron-clads, and the great labour and expense of building them, instead of all the thirteen slips being occupied, only four of them were in use. Now, according to the hon. Member, the interest on the whole cost of everything connected with the yard, including the nine unoccupied slips, ought to be lumped together and charged to the four ships in course of construction; and he would exclaim, "Look, what fearful extravagance there is going on in Pembroke yard!" But did the hon. Gentleman suppose that any Board of Admiralty would be so destitute of common sense as to abstain from building ships at Pembroke merely because by his peculiar mode of calculation he thought he made out that it was attended with enormous cost, while, in reality, the work was done there cheaper than in any other yard? He thought the illustrations he had given were a proof of the fallacy of the principle on which the hon. Gentleman insisted. The hon. Member had entered into a great number of figures with his usual ability and clearness; but the House would be glad to hear that it was not his intention to follow him through his labyrinth of figures. He would, however, refer to one or two of the hon. Member's assertions. One of them was that in the Navy Estimates there was no statement of what was wanted for shipbuilding purposes. The explanation of that was this—if they looked at the programme of works published with the Navy Estimates they would see there every ship which was about to be built in the dockyards, the amount of work which was to be done on each, and also the number of men who were to be employed. They would likewise see in that programme the list of ships which were to be repaired; but it was impossible to fix beforehand the number of men and the amount of work required, as some of the ships had not returned home from foreign service at the time when the programme was being made out, and the repairs wanted, with the consequent amount of work required, were therefore unknown. The programme, however, always stated the number of men who were to be set aside for repairs. With respect to contract-built ships, the Admiralty purposely abstained from stating the amount estimated to be spent upon them, and for the obvious reason that if they put down a certain sum for particular ships there would be very little chance of many of the tenders being under that sum. Then, the hon. Gentleman said they did not charge enough in their accounts for pensions, and differed on that point from Mr. Finlaison, a high authority in such matters. The hon. Member took the amount of the pensions now payable, and he included those given to artificers who were building ships forty or fifty years ago, making out a total of £127,000. Mr. Finlaison reckoned this item at 7 per cent on the wages, and placed it at £52,000. For himself, he (Mr. Corry) confessed that he doubted the strict accuracy of charging those pensions to the cost of building the ships. The Admiralty experienced no difficulty in obtaining any number of hired men at the ordinary rates of wages without offering them pensions; but the pensions were given, partly perhaps, from a feeling that it would not be humane to turn them adrift in their old age, and partly on political grounds, to prevent the men from striking for higher wages in times of war or other emergency. He concurred with the hon. Member in his criticism as to the advisability of keeping separate accounts for each dockyard, and had already given directions that the forthcoming accounts should be prepared in that form. With regard to the incidental charges, the Admiralty estimated them at 3 per cent to be added to the cost of building, fitting, and repairing ships, as the final productions of the yards. Then, in justification of his theory, that interest on the whole of the plant, buildings, &c., should be charged on the limited amount of work executed in time of peace, the hon. Member said they spent £400,000 a year in buying ships, which showed that they had not enough building accommodation. The answer to that was that means had been provided for building iron ships at only two of the dockyards—Pembroke and Chatham, and it was on iron ships that the greater part of the £400,000 was expended. Moreover, the buildings and other works in the dockyards had not all relation to shipbuilding, but included accommodation for the repairing of ships, the docking of ships, and the maintenance of ships in ordinary, which ought not to be charged against the cost of shipbuilding. With respect to anchors, the hon. Member talked of their market price, but there was no market price or contract for five-ton Admiralty anchors. Besides, what was the value of anchors purchased at the market price? He would give an illustration. A few years ago two ships were purchased for the service and they had twelve anchors between them which were supplied by the private trade, but only four out of the twelve were found to stand the Admiralty test. The remaining eight were rejected. As to the price of anchors, the whole question between them and the hon. Member involved a difference of only £7,000 a year—a very small rate of insurance for the country to pay for the safety of Her Majesty's valuable ships, and the still more valuable lives of their crews. Then, the hon. Gentleman said they did not charge enough for the articles they sold to friendly Powers; but it was their practice in these cases to add 10 per cent on contract articles, and 22 per cent on dockyard articles sold to foreign countries. The hon. Gentleman said they did not make a profit, and that they ought to charge 60 per cent. If they could do that they would drive "a roaring trade," but he feared they would find few customers. At present they charged quite enough to cover any loss they might incur in the manufacture. As to the criticisms of the hon. Member on the dockyard accounts, he had to observe that much of the hon. Gentleman's information was obtained from the improved form of the very accounts he was criticizing, which had been introduced by the hon. Gentlemen opposite (Mr. Childers and Mr. Stansfeld) when they were at the Admiralty; and he would leave it to those two hon. Members to make such observations on the subject as they might think necessary. He would, however, state that, with a view to the better preparation of those accounts, his right hon. Friend the late First Lord (Sir John Pakington) had contemplated a separate office in connection with the Controller's Department. When that right hon. Gentleman was First Lord, and he himself was Secretary to the Admiralty, in 1858, their attention was turned to the subject. Sir Richard Bromley was consulted, and the whole matter was very fully considered. There was at that time a difference of opinion as to whether the Department of the Accountant General or that of the Controller was the one which should be charged with the preparation of the accounts. The Board affirmed the views of the Accountant General, thinking that the accounts should not be prepared in the Department which spent the money, but by an independent authority. That view was confirmed by Sir James Graham, and had been acted on ever since. Having been himself a party to the arrangement made in 1858, he had felt some doubt as to the policy of detaching those accounts from the Accountant General's Department, and creating a new office for their preparation in more immediate connection with the Controller's department, and having considered the whole question with the heads of the Departments, he thought it advisable to adopt an arrangement differing in form from that proposed last year by his right hon. Friend (Sir John Pakington), and yet fulfilling all its important objects. The arrangement which had been decided upon would, he thought, secure greater simplicity; while it would be equally efficient in providing a control over dockyard expense and charges. It appeared to him and his Colleagues that as the Controller, the Accountant General, and the Storekeeper were all concerned, and that as their independent action had not conduced to uniformity and simplicity, both the one and the other of these two objects could be promoted by the constitution of a Committee consisting of those three principal officers, who would report, in the first instance, whether the present basis and form of dockyard accounts realized their purpose, and whose conjoint action would secure more complete uniformity and simplicity in the preparation of the accounts. These accounts would be initiated in the Department of the Accountant General, subject to his supervision and that of the two other principal officers, by whom they would be signed before being laid before Parliament. In connection with this Committee a new officer (Mr. H. Walker, a Gentleman whose ability was well known to many hon. Members) had been appointed as Assistant to the Accountant General, and his duty would be to exercise a supervision over the expense accounts, and to bring all questions relating thereto before the Committee, and also to audit the cash accounts of the Navy, so as to insure harmony between the cash expenditure upon dockyard labour and materials and the charges for these services as recorded in the expense accounts. In order to assist that officer and to secure his undivided time and experience in the conduct of the dockyard account business, he had appointed to the office of inspector of the yard accounts Mr. Henry Brady, the present Accountant of Devonport dockyard, who had been selected on account of his peculiar fitness for the appointment. His relationship would be common to the Controller of the Navy, the Accountant General, and the Storekeeper General; and in the performance of his duties regard would be had to the requirements of these three officers. Without some such common agreement as would be thus secured, it appeared to him that it would be difficult to prepare these accounts in a satisfactory manner without the loss of much time and labour in intercommunications between the three Departments and between them and the dockyards. His intention was to lay before Parliament the Report of the Committee of the principal officers which would suggest the basis on which the accounts should in future be kept and presented to Parliament, with the view of referring it to the Committee on Public Accounts, of which the hon. Member for Lincoln was a member, who would be invited to report to the House the groundwork for the preparation of a Bill, laying down the conditions and form in which these accounts were to be kept. He thought that the Departmental Committee would be at least as competent to deal with the question as any Committee of the House of Commons, and he would therefore suggest for the consideration of the hon. Gentleman, whether any good would result from the appointment of the latter. At the same time he was so anxious the House should not think that he desired to screen the Admiralty from the most searching inquiry, that he would not object to its appointment if the hon. Gentleman thought it right to persevere in his Motion. He had only one condition to make, and he hoped the hon. Member would not think it unreasonable — namely, that the inquiry of the Committee should be limited to an examination of the accounts in relation to dockyard expenditure—and that it should not go into questions of policy, or of the appropriation by the Admiralty of money voted for general purposes.

Mr. CHILDERS hoped the House would allow him to say a few words after the appeal made to him and his hon. Friend (Mr. Stansfeld) by his right hon. Friend the First Lord of the Admiralty. He had, in the first instance, to express his opinion that the thanks of the House were due to his hon. Friend the Member for Lincoln (Mr. Seely) for having on this and former occasions brought forward a subject of so much interest. There was a great difficulty in dealing with this subject, for many of its details were very dry, and, at the same time, were calculated to give rise to differences of opinion. But he must say that, though he and others had had to dispute particular conclusions arrived at by his hon. Friend (Mr. Seely), the hon. Gentleman, in his treatment of the question in successive Sessions, had avoided the use of strong or disagreeable language, and of anything which could be offensive to individuals; while by his facts and figures he had raised discussions which must have a beneficial effect. This abstinence from heat in dealing with figures was somewhat rare just now. There had been a time when the *odium theologicum* was supposed to be the bitterest of all feelings entertained by disputants; but anyone who had read the papers during the last three years must have perceived that quite as angry questions could be raised and squabbled over by accountants as any which had ever engaged priests or philosophers. The real question before the House was as to the expense and manufacturing accounts which were laid upon the table in connection with the proceedings of the Admiralty. What the House had to consider was, how they could improve these accounts, and put them into a more satisfactory state. He thought that the object of these accounts was two-fold—namely, that the Admiralty and the House might be enabled to compare the work of one dockyard with another, and that they might also be enabled to compare the work done in the dockyards with that done in private yards. They wished to know, not whether their servants were pecuniarily honest, but whether they did their work in a satisfactory way? But in dealing with the question they were met by this at the outset—that no accounts of any company or manufacturing department could be compared with those of the Admiralty, so much greater in magnitude were the latter. He had taken some pains to look into various published accounts of large manufacturers, susceptible of comparison with the dockyards, in order to see how they were rendered. He had, for instance, taken the accounts of manufacturing departments of the Army, and compared them, item for item, with those of the Navy, excluding the victualling and clothing in the Navy and the clothing in the Army. He found that in the manufacturing departments of the Army the buildings and plant amounted to £998,000, and the stock of stores to

£1,040,000, making a total of about £2,000,000. On the other hand, the value of the premises belonging to the Admiralty, with their stores, not including a quantity of stock in a half-manufactured state, amounted to £14,577,967. Going outside of the Government Departments and taking, for the sake of comparison, one of our largest shipowning and repairing companies — the Peninsular and Oriental — he found that the value of the whole of their premises and plant did not amount to more than £319,000, and their stock of stores to not more than £515,000, making a total of only £834,000. Taking, also, the case of one of our greatest railway companies, he ascertained that the whole of the wages and materials employed by it in carrying on its operations in the making and repairing of engines and tenders was only about £260,000, while the Admiralty spent on ships under the corresponding heads £1,800,000. He had quoted those figures simply to show that there were no other establishments in the country rendering detailed accounts which we could well compare with so large a Department as the Admiralty. He would, in the next place, remind the House of what had been done within the last few years to amend the very unsatisfactory state of things which his right hon. Friend opposite had found to exist when he was Secretary to the Admiralty in 1858-9. There were then no accounts of the Admiralty expenditure except the cash appropriation accounts, which were audited by the Audit Commissioners. Any other account was merely casual, being sometimes rendered and sometimes not. Every year since then, however, a progressive improvement in the accounts has been going on. His right hon. Friend the First Lord of the Admiralty had pointed out that he began the system of improvement by deciding that an expense account should be prepared by the Department. That was carried still farther in 1860, when Lord Clarence Paget was in office. The whole of the books were put upon a proper system of double entry, and the expense accounts were made out on that system, though they were still very imperfect. This was followed up in the next year by extending the system of dockyard audit. In 1864 his hon. Friend (Mr. Stansfeld) instituted an annual stock valuation account—the necessary foundation of any sound system of accounts—and that was followed during the next year by the establishment by him (Mr. Childers) of a capital account and balance-sheet, and the reform of the rate book and manufacturing accounts. But, notwithstanding the improvement which had thus been introduced into our dockyard accounts, he must confess that he did not regard them as being perfect in their present form, and he hoped the Committee moved for, and which his right hon. Friend opposite consented to grant, would, with the assistance of the officers of the Admiralty, still further improve the accounts. As a whole, no person could take up the stock valuation and shipbuilding expenditure account without seeing that they might be put in a more condensed form, and at the same time give the whole of the information they now contained. There might, for instance, be a more complete consolidation of the capital account, and a more distinct reconciliation between the expenditure for ships and services, and the amount of money voted by Parliament for shipbuilding purposes. He quite concurred, also, in the view that it was desirable that the incidental expenses of each shop, and of each dockyard, should be in a greater degree charged to them, and not spread over the whole work. In fact, we should be able to bring home distinctly to the officers in the various dockyards and workshops the cost of the work done, so that the question might be put to them, "Why is it that that which costs £5 a ton in your yard or shop can be obtained in another at the rate of £4 a ton?". In those and some other respects he thought the accounts were decidedly susceptible of considerable improvement. As to the charge for pensions, he did not agree with the First Lord opposite. He looked upon them as being practically a part of the pay which was given, and it was but proper, he had laid down in 1865, that the charge for them should be taken into account. The main point on which his hon. Friend the Member for Lincoln, however, seemed to dwell was the expediency of having the dockyard accounts made out precisely in the same manner as those of private shipbuilders. Now, both his hon. Friend near him and himself had, while at the Admiralty, carefully directed their attention to that point; but they at once found that there must be always two essential differences between the accounts of a private firm and those of a Government Department. The first was as to the proper charge for interest on capital, to which he would refer afterwards; the other, that it was impossible that there could be at the Admiralty what was termed a profit and loss account. He would give an instance of how difficult it was to deal with our dockyard accounts as with the case of private establishments. Suppose a private firm to build ten, or twenty, or thirty ships during the year; they would, he presumed, open for each of those ships a separate folio of their ledger, and charge her with cash paid in wages, with the value of the stores put into her, and with the proper amount of incidental expenses connected with supervision and other matters; they would, on the other side, place the amount received for the ship when sold, and would carry the difference to their general profit and loss account for the year. But that was not all. Suppose the private shipbuilder had a very large amount of stores and timber, and was obliged from time to time to take into consideration any depreciation of them which might take place. In a year, in which the value of the stock of a shipbuilder became depreciated, he would, of course, charge to the account of a particular ship the lower price of the stock employed, and the ship would thus appear to be built at a cheaper rate. But although the balance carried to profit and loss in favour of the shipbuilder might thus appear to be greater, in reality he might be worse off at the end of the year, because the loss on the stores would go far to eat up the profit on the building, and this loss would be written off before he struck his balance of profit for division among the partners. On the other hand, when the value of stores was on the increase the profit upon a ship would be apparently less, but in reality the builder might be all the better off, being recouped by the increased value of his stock. It must be borne in mind that the Government, with the approval of the House, now revalued its stores at the end of each year; but, in the absence of a profit and loss account, there was no heading under which the item of depreciation was shown, except under the general balance sheet into which went all the Admiralty works in connection with shipbuilding. The result, therefore, was in every case to convey a wrong impression as to the cost of building. Ships appeared to have been built at a greater price in a year when the value of materials had fallen, and, on the other hand, at a less price in a year when the rise in the value of stocks was carried at the end of the year to the credit of the work done. As an instance of this, he might say that the difference between the percentages for incidental expenses, 35 and 51 respectively in the years 1864-5 and 1865-6, which his hon. Friend had pointed out and commented upon, was due almost exactly to the fluctuations which took place in those years respectively in the value of the stock of stores on hand. For these reasons he was disposed to believe that it would be desirable to open a separate depreciation account, in which, upon one side and the other, the changes in value from time to time and their results might be accurately set out. He would give another illustration of the effect of stating the account in the strict mercantile way. His hon. Friend not only enumerated several methods of his own of keeping accounts, but he asked, Why not follow the practice in the Army? The Army accounts were rendered in two ways; one without any allowance for interest and depreciation; the other as follows:—They charged 3½ per cent on the stock of stores, on the semi-manufactured articles, on the working capital, and on the plant and buildings; they charged 5 per cent for depreciation of buildings, and 10 per cent for depreciation of machinery. If the Army method were applied to the Navy, what would be the result? The estimated value of land, buildings, plant, and stores, according to the last accounts, was, in round numbers, £15,000,000. Upon that sum 3½ per cent would amount to £525,000; 3½ per cent on one-fifth of the annual expenditure, on account of working capital, would be £10,000; 5 per cent for depreciation of buildings would amount to £420,000; and 10 per cent upon plant to £69,000; making a total, after deducting the £46,000 at present charged by the Admiralty, of £978,000. Adding this to the £910,000 for other incidentals in 1865-6, this would represent a total of £1,888,000, or at the rate of upwards of 110 per cent on the cost of wages and materials. These figures surely might suggest how absurd the result would be if we applied to the Navy a system which had been adopted as an alternative in the Army accounts. The real explanation of this was plain. In nothing was the disproportion more striking than in the capital invested in the Army and in the Navy respectively in permanent stock. The capital of the Admiralty in land, buildings, plant, and stock amounted to £14,577,967, being eight times the amount of what was paid for materials and wages in ships in 1865-6; thirteen times the amount of what was paid for materials only, and ten times the amount of the materials which passed through the factories, including the value of the labour employed. In the Army establishments, meanwhile, the whole amount of capital was just over £2,000,000, nearly equally divided between plant and stores; whereas the production, without including interest and depreciation, was £894,000, or, including both those items, as nearly as possible £1,000,000. The Army establishments only were on a scale of plant and stores, each equal to a year's out-turn; whereas the capital of the Navy was equal to eight or ten times the year's out-turn. The reason is that four-fifths of the capital of the Navy was not employed in time of peace, but was ready to be employed in time of war; it was therefore out of the question to regard it as capital, upon which interest should be charged in estimating the value of the work done in peace time. There were many questions into which he should have liked to enter more into detail; but he quite agreed with his right hon. Friend opposite that there was one thing which it was most desirable to do, and that was to settle the question. It would be most impolitic to let this question go on from year to year, disturbing the public mind and occupying the time of departmental officers with controversies which, except so far as they led to real results, could do no good whatever. The time had fully come for concluding this matter; and if the Committee which had been granted did lead to the settlement of the many important, though rather minute, questions which had been raised, it would have done a good work, and the position for usefulness of the Admiralty would be very much improved.

MR. SAMUDA thought it most desirable that this question should be settled in such a way that the accounts presented to the House should be such as could be relied on for the guidance of those who prepared them as well as of those who investigated them. There was nothing which went more to show the importance of the proposal before the House than the manner in which it had been met by the right hon. Gentleman opposite, and by his hon. Friend the Member for Pontefract (Mr. Childers). It was by no means so easy a thing to form a manufacturing account for a dockyard manufacturing a large quantity of vessels as would at first sight appear. His hon. Friend (Mr. Childers) had intimated that it was most desirable to approximate as closely as possible the accounts of the Government dockyards to those of well-managed private establishments, but that he found a difficulty in the way of accomplishing that object. His difficulty appeared to be that he could not see how, the one necessarily having a profit and loss account and the other necessarily having none, a comparison could be kept up perfect and entire. Now, no such difference ought in the smallest degree to enter into the account. The object of a private yard was to obtain an accurate account of the cost of each vessel produced, wholly independent and separate from that account which showed the profit or loss on the sale of each vessel at the end of the year. The one was a manufacturing, the other was a commercial account, and they had nothing to do with each other; and the importance of having an accurate and simple way of arriving at this conclusion would be ascertained on looking at the question in this point of view, that there was no single item of material that entered into the construction of a ship which did not, in its finished form, represent a totally different value from that which it possessed as the raw material. The difference was sometimes as great as 300 per cent. There ought to exist, therefore, both the means of ascertaining and charging the approximate value of all the finished material that had been used, and also of correcting this account by substituting the actual for the approximate value; and this correction should be attained by the usual process of stock-taking, and a comparison of the value of actual stock remaining with that which the approximate accounts had appropriated. These matters required careful consideration, in order to arrive at a correct system of cost. The Admiralty accounts were not formed on a basis which enabled the House to arrive at a satisfactory conclusion. He thought it would be desirable to refer the result of the deliberations of the Committee, composed of the Controller of the Navy and other Heads of Departments, appointed to consider the means of arriving at the most accurate mode of keeping the dockyard accounts, to the Committee on Public Accounts, and if the suggestions of this Committee were satisfactory on these heads it might be sufficient, but he doubted if they would be; and then it would be most desirable that a Committee of this House should thoroughly investigate the alterations in the Admiralty accounts, necessary to furnish a clear and correct account of the expenditure by the various dockyards, on the ships they had built and the work they had done. The total amount of money expended on the dockyards should not be considered as expended entirely on the construction of vessels. Care should be taken to eliminate from the capital account that which was locked up as a national investment for the defence of the country. An erroneous impression might prevail if some notice were not taken of the observations which had been made with reference to the state of things which existed some half century ago. When vessels were built of wood it was insisted that that class of vessels should be built in the Government dockyards, from the difficulty of finding seasoned timber of the required forms, and in sufficient quantities, in private establishments, but this objection did not apply to vessels built of iron.

Mr. CORRY said, he meant to have guarded himself against intending to apply anything respecting wooden ships to iron ships. He was convinced that iron ships built by contract were quite as good as ships built in Her Majesty's dockyards, and such was the opinion of the Controller of the Navy.

Mr. SAMUDA was glad that his observations had produced the statement from the right hon. Gentleman.

Lord HENRY LENNOX stated, in reply to the hon. Member for Lincoln, as to why the Admiralty accepted tenders for the composite gunboats at prices above £25 per ton, that when firms tendered for the boats at prices varying from £20 per ton to £40 per ton the Admiralty were well aware that no firm could build those gunboats on the specifications issued by the Admiralty at the lower price without a great loss, and, therefore, did not think it right or safe to accept the generous offer thus made, except as far as one ship was concerned. He appealed to the hon. Member for Tavistock (Mr. Samuda) or to the hon. Member for Birkenhead (Mr. Laird) as to whether it were possible for any good firm to build such vessels at such a low price as £20 without loss? The Admiralty, accordingly, had taken a medium course, and accepted the eight lowest tenders, of which the highest was £29, and the lowest £20 per ton.

Mr. SAMUDA said, the boats could not be made for less than £30.

Motion amended, and *agreed to.*

Select Committee *appointed,* "to inquire and report (1st) as to the application of Monies voted by Parliament for the use of the Admiralty in the building, repairing, and equipment of Her Majesty's Ships; and (2ndly) as to the Accounts of the Department, and more especially as to the method in which they should be prepared for presentation to this House."—(*Mr. Seely.*)

And, on March 9, Committee *nominated* as follows:—Mr. Seely, Lord Henry Lennox, Major Anson, Mr. Dalglish, Mr. Liddell, Sir Michael Hicks-Beach, Mr. Childers, Mr. Weguelin, Mr. Hanbury-Tracy, Sir Daniel Gooch, Mr. Stansfeld, Mr. Ayrton, Mr. M'Laren, Mr. Candlish, Mr. Dyke, Mr. Scourfield, and Sir John Hay:—Power to send for persons, papers, and records; Five to be the quorum.

SPECIAL AND COMMON JURIES.

MOTION FOR A COMMITTEE.

Viscount ENFIELD said, he wished to renew a Motion to which the House agreed during the last Session—

> "That a Select Committee be appointed to inquire and take evidence as to the Law and practice relating to the summoning, attendance, and remuneration of Special and Common Juries, and to report to the House as to any alterations which ought to be made therein."

The Committee, over which he had the honour to preside, sat four times; but, owing to the late period of the Session at which it had been appointed, could not complete its inquiries. They therefore reported the evidence they had taken, and recommended the re-appointment of the Committee in the next Session. Without wishing to anticipate any definite conclusion that a Committee of this kind, if re-appointed, would be likely to arrive at, he would yet say that from what he had read, and from the private communications he had received, these four facts appear to be notorious—Firstly, that the number of persons liable to serve upon juries in the county of Middlesex was considerably less than it should be, owing to the imperfect manner in which the lists were made out; secondly, that the notices given to those persons were, generally speaking, so short that the greatest inconvenience arose both to jurymen and suitors; thirdly, that the uncertainty as to when the services of these gentlemen were required operated disadvantageously to the certain and punctual trial of causes; and fourthly, that the same individual was liable to serve repeatedly upon juries in a very short space of time, and not unfrequently was summoned for the same week in three or four different Courts. He would cite three cases, two of which he had gathered from the public journals; the third was one among many private communications which he had received bearing upon this subject. The first case he took from *The Times* of December 5, 1867. It was that of "Murley *v.* the South Eastern Railway Company"—

> "In the course of the day bitter complaints were made by various special jurors of the mode in which they were summoned, the short notice given when they will be required to attend, the frequency of the occasions on which they are summoned, &c. The Lord Chief Justice said the present system was most unsatisfactory; but that a Committee had been sitting, which, with the assistance of Mr. Erle, the Associate, who had studied the question carefully, would, his Lordship trusted, materially relieve the evils complained of. One gentleman on the jury just sworn said he had served fifteen times in the last year, and three times during the last month; and once he had been fined £10 for not attending."

The second case occurred on the 1st of February, 1868—

> "Upon this case ("Keen *v.* Hartnoll") being called on, it appeared that there were only ten of the twenty-four special jurymen who had been summoned in attendance, and the counsel declined to pray a *tales*. The Lord Chief Justice said it appeared in this case the trial had been postponed in consequence of the non-attendance of jurors, and the parties had been put to unnecessary expense. A juryman complained that he had been summoned at ten o'clock the previous night to appear in court at ten o'clock that morning, and when he arrived he found the cause withdrawn. The Lord Chief Justice said that it was a matter in which he had no power to interfere; but he heard from Mr. Erle, the Associate, that this subject had been brought before a Parliamentary Committee, and it was probable some rule would be laid down. He added that he would not fine any juryman who had received so short a notice."

He would now read an extract from a letter he had received from a literary gentleman, dated February 17, 1868—

> "I have been called upon to serve in six cases during the last seven months. This implies, with the allowance on the average of four to five days for the delay in bringing on the causes after the date fixed for attendance, of a month's duty out of every seven; or, if I refuse to attend, to a possible fine of £60, or, on the twelve months, of more than double the rent of the house I inhabit. The point to be ascertained is, are there so few special jurymen in the country, or so large a cause-list, as to justify the summoning officers in laying such a tax in time or money upon any inoffensive dweller in the land?"

With reference to the question of expense, he believed, if the same system were pursued in Middlesex which was followed in other parts of the country, a very great saving would ensue; and since he came into the House a statement had been handed to him which, with the permission of the House, he would read. It was as follows:—

> "We have 100 special jury causes for trial at these sittings at the Guildhall during Hilary Term. Juries will be actually summoned in about half (not less) of these, that is—1,200 summonses will be served; and the costs (at £7 8*s.* in each case) for striking, attendances, &c., will be altogether £370. In the country, on the other hand, if one panel of thirty-six jurors were summoned, each panel to serve for three days, 180 summonses would suffice, at a cost which certainly ought not to amount to £50."

These figures had been supplied to him by Mr. Erle, the Associate of the Court of Common Pleas, who had paid much attention to this subject, and without further trespassing on the time of the House he might be allowed to say that if he were allowed the assistance of a Committee like that of last year for perfecting this inquiry, he hoped that means would be found to remedy an inconvenience from which the public in the county of Middlesex had for a long time past extensively suffered.

Motion *agreed to.*

Select Committee *appointed,* "to inquire and take evidence as to the Law and practice relating to the summoning, attendance, and remuneration of Special and Common Juries, and to report to this House as to any alterations which ought to be made therein."—(*Viscount Enfield.*)

And, on March 11, Committee *nominated* as follows:—Viscount ENFIELD, Mr. SOLICITOR GENERAL, Mr. DENMAN, Mr. HUDDLESTON, Mr. HEADLAM, Mr. FRESHFIELD, Mr. HASTINGS RUSSELL, Mr. TURNER, Mr. Alderman SALOMONS, Mr. WHATMAN, Colonel WILLIAM STUART, Mr. CHARLES WYNN, and Mr. Alderman LUSK:—Power to send for persons, papers, and records; Five to be the quorum.

OXFORD AND CAMBRIDGE UNIVERSITIES BILL—[BILL 30.]

(*Mr. Coleridge, Mr. Bouverie, Mr. Grant Duff*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MR. COLERIDGE moved—

> "That the Chairman be directed to move the House, that leave be given to bring in a Bill to repeal certain Tests and alter certain Statutes affecting the constitution of the Universities of Oxford and Cambridge."

The title of the Bill had been somewhat altered since he gave notice, owing to a fact which he would explain. A good deal of objection had been raised—and certainly, as far as he might be permitted to express an opinion, not altogether without reason—to the fact that the Bill brought in by the right hon. Gentleman the Member for Kilmarnock and that which had been introduced on several occasions by himself (Mr. Coleridge) had been treated as separate measures, both being, in truth, parts of one and the same subject. In deference, therefore, to the opinion of those who thought it would be better to amalgamate them, the Bill of the right hon. Gentleman the Member for Kilmarnock and his own had been combined. He did not propose now to trouble the House with any observations on the matter, which had been so frequently and so fully discussed; he would content himself with moving that the Chairman be directed to move for leave to bring in the Bill which incorporated in substance the two measures he had described.

MR. GATHORNE HARDY: I do not, of course, intend to offer any opposition to the introduction of this measure. I am glad, indeed, that we are to encounter legislation on this subject in a more convenient form than we have hitherto done. The hon. Member for Exeter (Mr. Coleridge) talked, I remember, on a previous occasion of the little Bill he then brought forward in reference to the question. It has now grown to be a great Bill; and I promise him the utmost opposition that I can offer to the measure; and I have no doubt but that many other hon. Members will be equally prepared to oppose it in every way.

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to repeal certain Tests and alter certain Statutes affecting the constitution of the Universities of Oxford and Cambridge.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. COLERIDGE, Mr. BOUVERIE, and Mr. GRANT DUFF.

Bill *presented,* and read the first time. [Bill 30.]

SALE OF LIQUORS ON SUNDAY (IRELAND) BILL.

LEAVE. FIRST READING.

THE O'CONOR DON (on behalf of Major O'Reilly) moved for leave to introduce a Bill for further regulating the Sale of fermented and distilled Liquors by retail on Sundays in Ireland. The hon. Member observed that the Bill was the same as the measure of last Session.

MR. PIM seconded the Motion.

THE EARL OF MAYO, while not opposing the introduction of the Bill, expressed the opinion that ample time should be allowed before the next stage of the Bill was taken in order that persons affected by its provisions might take it fully into consideration. Public opinion in Ireland was very much divided in reference to this subject, and he believed that legislation could not be satisfactorily undertaken upon it until the question had been carefully investigated by a Select Committee.

Motion *agreed to.*

Bill for further regulating the Sale of fermented and distilled Liquors by retail on Sunday in Ireland, *ordered* to be brought in by Major O'REILLY Lord CREMORNE, and Mr. PIM.

Bill *presented,* and read the first time. [Bill 31.]

LANDED PROPERTY IMPROVEMENT (IRELAND) BILL.

LEAVE. FIRST READING.

MR. PIM, in moving for leave to introduce a Bill to further amend the Law relating to the Tenure and Improvement of Land in Ireland, said, that the present Bill was similar to the measure he had introduced last Session; but with some important additions in reference to improvements made by tenants, and some other provision affecting the relation of landlord and tenant in Ireland. The principle of the present Bill, as respects tenants' improvements, was identical with that of the measure proposed in 1866, by the right hon. Gentleman the Member for Louth, then Chief Secretary for Ireland, but there was a difference of detail which would have an important effect on the practical working. The objects sought to be effected by this Bill were—firstly, to enable limited owners in Ireland who may improve their lands to charge a portion of their expenditure to their successors. Secondly, to enable limited owners, within specified limits, to grant leases and make contracts with their tenants, which shall be binding on their successors and on all parties who derive under them—and this without the necessity of notice to the Court or to any third party. Both these objects were included in the Bill introduced last year by the noble Lord the Chief Secretary for Ireland, but he (Mr. Pim) proposed to give the limited owner freer action, in this following the precedent set by the Scotch Montgomery Act (10 *Geo.* III., c. 51), which was passed so long ago as the year 1770, and which had, he believed, worked very usefully in Scotland. He had endeavoured to divest the proceedings of all unnecessary formalities, so far as could be done consistently with the precautions needful to prevent fraud and preserve the legitimate rights of the successors. The third object was this, that in the absence of a specific written contract the tenant should be secured by law in the ownership of whatever improvements he might effect by his industry or his capital; but he proposed that the tenant should, within twelve months after the completion of these improvements, be bound to record them in a public registry, to be kept for this purpose; which provision he had inserted for the protection of the landlord against the possibility of a false or unfounded claim being made long afterwards, when it would be difficult to obtain evidence to disprove it. If no such registration were made, the tenant was not to be allowed to set up a claim against his landlord at any subsequent period. Fourthly, he proposed to put an end to the power of distress, and to the priority of the landlord's claim for rent over the other debts of the tenant. By this means he believed that the relations between landlord and tenant would be placed on a much more fair and satisfactory footing; that it would make the landlord more careful in his choice of tenants, and that it would remove one of the most serious impediments to the improvement of the land which now exist in Ireland. It was a necessary consequence of the abolition of the power of distress, that the landlord should have the utmost facility for obtaining possession of his land in case his tenant failed to pay the rent. Much had already been done in this respect, but he proposed to abolish the right of redemption which the tenant now possessed for six months after eviction for non-payment of rent. This six months' right of redemption was very injurious to the landlord without being of any use to the tenant, and he believed many landed proprietors would consider its abolition to be an ample equivalent for the loss of the power of distress. The principle on which the proposed measure was founded, was "complete freedom of contract between landlord and tenant," and giving perfect validity to such contracts when entered into *bonâ fide*, and without fraud; and, in the absence of a specific contract, the recognition of the tenant as the legal owner of all improvements effected by himself and duly registered. He (Mr. Pim) proposed to repeal altogether the Act of 1860, incorporating into his own Bill many of the valuable provisions of that Act, so that the proposed measure would be complete in itself, and therefore more readily intelligible, than if he had merely proposed to amend the Act of 1860, repealing some portions and retaining others in force. This question was not one in which the tenant was to be benefited at the expense of the landlord, but proper legislation would benefit both parties. He had no doubt that whatever measure was eventually adopted by Parliament, it would be just and equitable; and justice had this quality in common with mercy, that it blesses both the giver and the receiver. This equitable settlement of the land question would be a benefit, not only to landlords and tenants, but to the whole of Ireland. He begged to move for leave to introduce the Bill.

MR. VANCE said, the object of this Bill was to give unlimited leasing powers to the person in possession of the property to the detriment of the remainderman, and in effect put an end to the law of entail—a proposition to which he felt sure the House would refuse its assent. The Bill also proposed to compel the landlord to compensate the tenant for improvements with regard to which he had not been consulted. The crude suggestions of the hon. Gentleman with regard to an exceptional law for Ireland were only calculated to deceive the public mind, for the House would never pass such a law. Any legislation respecting landlord and tenant in Ireland must be based upon the English law relating to real property. If any departure from that rule were once permitted, the result would be a complete surrender of the property of the landlord to the tenant. He had, however, no objection to the introduction of the Bill, but merely wished on the present occasion to point out its incurable defects.

Motion *agreed to.*

Bill further to amend the Law relating to the Tenure and Improvement of Land in Ireland, *ordered* to be brought in by Mr. PIM and Mr. O'BEIRNE.

Bill *presented,* and read the first time. [Bill 32.]

INDUSTRIAL SCHOOLS (IRELAND) BILL.

(*The O'Conor Don, Mr. Monsell, Mr. Leader.*)

[BILL 6.] SECOND READING.

Order for Second Reading read.

THE O'CONOR DON, in moving the second reading of this Bill, said, it was precisely the same as the measure which he had introduced last Session, with the single exception that he had omitted from it the clause which would empower public bodies to make grants for the establishment of industrial schools. He hoped that the hon. Member for Dublin, who was so great an advocate for the assimilation of the laws of England and Ireland, would not object to this Bill, which was the same as the law which had been passed on this subject for England, and which had done so much good.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The O'Conor Don.*)

Mr. VANCE said, he would rather not enter into a discussion upon the Bill on that occasion. There were objections to the Bill which would prevent the House passing it; but he had no objection to its being read a second time, provided the hon. Member would name a late day for the House to go into Committee upon it, to enable those hon. Members who opposed it, to be in attendance.

The O'CONOR DON said, he had no objection to adopt the course proposed by the hon. Member, and he would therefore name the 25th of March as the day for the Committee upon the Bill.

The Earl of MAYO said, he did not mean to oppose the Motion for the second reading of the Bill. But he did not think that any great necessity existed for such a measure, and that was, he found, the opinion of many persons who took a very active part in the management of the reformatory movement in Ireland. He had further to state that it was his intention to introduce on an early day a Bill for the amendment of the Reformatory Act, which would have the effect of extending its powers very much in the direction contemplated by the hon. Member for Roscommon; and when the hon. Member saw that Bill, it was possible he might think that the present measure was unnecessary.

Lord CLAUD HAMILTON repeated the objection he had urged last year that such a measure as this was entirely unnecessary and uncalled for, and would, if carried, impose a heavy burden upon the cesspayers of Ireland. The Bill of the hon. Member had not received the support of any public body or person of note in that country. He should not, however, oppose the second reading of the Bill; but should reserve what he had to say against it until another opportunity was afforded him.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday,* 25th March.

The O'Conor Don

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

(*The Earl of Mayo, Mr. Secretary Gathorne Hardy, Mr. Attorney General.*)

[BILL 28.] COMMITTEE.

Order for Committee read.

Mr. MAGUIRE said, he wished to make a few observations in answer to a statement made by the noble Lord the Secretary for Ireland on a former evening. The noble Lord then said that the policy of Government with respect to the Fenian conspiracy was prevention, and that no one was left at large who was known to have been concerned in the outbreak of March last year. In connection with this statement he (Mr. Maguire) wished to ask the noble Lord for some explanations. Corydon, who was examined as a Crown witness in the trial of General Burke in April last, stated that he had been in the active employ of the Government from the previous September, and had kept them acquainted with every circumstance connected with the conspiracy, including what was contemplated in Liverpool. He (Mr. Maguire) was quite surprised, when he returned to this country, at what was going on, remembering the noble Lord to have said that it was not his intention to renew the Habeas Corpus Suspension Act, whereas here was the statement of Corydon that he had been in the employment of Government for six months and had made them acquainted with every step of the conspiracy. That was the statement of a man who had sent more than one man into penal servitude. He (Mr. Maguire) hoped the noble Lord would give some explanation of this matter. There was another matter of great importance to which he wished to call the noble Lord's attention. He understood that most of the persons who were taken up under the Habeas Corpus Suspension Act were sent to Mountjoy Prison, and it was of the utmost importance to know how that prison was managed. There was formerly there a most admirable physician, Dr. M'Donnell, who made several important recommendations as to the dietary of the prisoners, the time they should be confined, their exercise, and their treatment generally; but that gentleman had now ceased to be connected with the public service, and his successor was a Dr. Young. He (Mr. Maguire) held in his hand a copy of the *Freeman's Journal,* in which was reported an inquest on the body of Matthew Lynch, an inmate of the prison, who had died on the 12th, the inquest being held on Friday last. He did not know whether this Lynch had not been arrested on the Lord Lieutenant's warrant; but it was the opinion of the jury that a very unworthy successor had been appointed to Dr. M'Donnell. The Roman Catholic Chaplain saw Lynch on the 2nd; he was miserably prostrate, and dying. He called the warder's attention to his state, and to the bad ventilation of his cell, and added that he ought to be in the hospital. It was four days before he was removed to the hospital; he was taken there on the 6th, and he died on the 12th, but to the last hour the doctor did not know what was his disease. First he said it was diarrhœa, then that it was diabetes, and he did not think till death took place that it was pulmonary consumption. The verdict of the jury was that the man had died of pulmonary consumption, and they further expressed their opinion that he should have been sent sooner to the hospital, and that the doctor should be more attentive to the extern patients, meaning those who were in the cells. It appeared, therefore, that the humane and skilful doctor had been *chassé*, to be replaced by a man who was branded by the jury as inattentive. He wished for some explanation as to this appointment of Dr. Young.

THE EARL OF MAYO: The hon. Gentleman gave me no notice of the attacks he has just made, and as I have not, therefore, a single document to refer to, the House will see that I speak under considerable disadvantage. I think, however, my memory is sufficiently clear to enable me to give such an answer to the statements of the hon. Gentleman as will satisfy the House. With regard to the revelations made by Corydon, which were never brought to my notice at the period to which he referred, I can say that for several months previous to February the 15th of last year, our information was that no Fenian Directory or Council, nor anything like one, existed in Ireland. We knew this from sources of intelligence that were perfectly accurate. In the previous November we were led to believe that a very great change took place in the Fenian councils, and it has been proved on oath at several trials since then that the Fenian leaders in America resolved about the end of the year that it was not desirable for the present to pursue their plans of active operations in Ireland. In fact, we knew that—as far as the leaders of the conspiracy were concerned—intentions of immediate outbreak in Ireland were for the time given up. I am speaking of a period shortly before Christmas, 1866. About Christmas —I forget whether a few days before or afterwards—a meeting was held in New York of the men who styled themselves the military leaders of the Fenian movement, and a resolution was passed deposing the regular leaders and giving to the military chiefs the whole control of the Fenian organization. The result was that about the 15th of January the new military leaders began to move towards Europe, and continued doing so during the whole of that and the greater part of the ensuing month. When the Government recommended to Parliament that the Habeas Corpus Act should no longer be suspended they were aware of the determination which was come to before Christmas, but were not aware of the events which subsequently took place. That information came to our knowledge very soon. We saw immediately that a change had taken place in Fenian affairs, that the policy adopted in November was abandoned, and we felt it our duty immediately to acquaint the House that, to our extreme regret, it would be necessary to renew the suspension of the Act. These are the grounds upon which we acted. A simpler story can hardly be told; and I venture to think that it is a complete vindication of the Government in the course which they took at the beginning of the last Session. Believing, then, that the Fenian designs were abandoned, and knowing that as Parliament was sitting we could, in case of necessity, at once obtain the suspension of the Act, it would have been unjustifiable on our part to have asked for the renewal of that suspension. Whatever Corydon may have said later in the year, at the beginning of the Session there was nothing to warrant the Government in making such a request. Men in Corydon's position often make statements; but it is sometimes only after a considerable lapse of time when they can be accurately tested that the Government can ascertain whether they are of any value. I think I have disposed of the charge made by the hon. Gentleman that at the time we recommended the discontinuance of the Suspension Act we were in possession of information from Corydon, and had tested it, showing what the Fenian designs were. A more unfounded statement was never made. [Mr. MAGUIRE: I never made such a statement. I merely said what Corydon swore.] And now with regard to Dr. M'Donnell, who is a man of high professional attainments and for whom I have the most profound respect. Dr. M'Donnell on one or two occasions differed from the Directors of Convict Prisons, but they were not differences of a serious kind, and were generally settled by amicable discussion. But the fact is that the arrangements with respect to Dr. M'Donnell's services were such as did not exist in any other convict prison in Her Majesty's dominions; and I say that the medical officer of Mountjoy male prison, having a large private practice to attend to, could not give that attention to the requirements of the prison which was indispensable, and, consequently, the arrangement was exceedingly unsatisfactory. Now, I believe that an abler man than Dr. M'Donnell never discharged the duties of physician to a convict prison; but, looking to the nature of the duties which the doctor in such an establishment has to perform, it was impossible that they could be attended to properly by a man in private practice. What happened? Dr. Banon, the physician of the female convict prison, died, and an opportunity offered for consolidating the duties of the male and female establishments, and obtaining one medical officer for both. Representations were made to me by the Directors of Convict Prisons that it would be for the interest of the public service, that the two offices should be held by one man. It was a considerable time before I acceded to that representation. I made inquiries as to what was done in England; I consulted Colonel Henderson, and other gentlemen of great authority in such matters, and they all agreed that a worse arrangement than that of employing a gentleman in private practice as medical officer to a convict prison could not be; that the thing had been tried before, and that in every convict establishment of sufficient size a medical man who had given up all his time to his duties in the prison was engaged. Having this information at my disposal, and having to choose a successor to Dr. Banon, I told Dr. M'Donnell frankly what my opinions were. He did not altogether agree with me; but he told me that his own practice was increasing so rapidly that it was very likely at a very early period he would find it necessary to retire from attendance at Mountjoy. That being the case, it was clearly my duty to take the advice given by such high authorities in the convict service, and appoint a resident medical officer for the male and female prisons at Mountjoy. Now that is the whole story, and a more unfounded calumny was never propagated (and it was made the most of by the Fenian papers) than that Dr. M'Donnell was dismissed and another gentleman appointed in his place because he refused to sanction the very arbitrary and severe treatment of the prisoners confined under the Habeas Corpus Suspension Act. I know the hon. Gentleman did not make such a statement in this House. [Mr. MAGUIRE: I did not say so.] I know you did not say so, but pages upon pages about it have been written in Ireland, and I believe that many have been led to accept it as a fact. Dr. Young, who has been appointed as medical officer to both the male and female prisons of Mountjoy, is a gentleman with whom I happen to be personally acquainted, and a more humane, an abler man, or one more competent to discharge his duties does not exist in any convict prison in the kingdom. And as long as Dr. Young remains in Mountjoy, I am quite sure that neither the hon. Gentleman nor anyone else will be able to prove any harshness on his part to any particular prisoner. Mention was made to me this morning in a communication from Dublin about the case to which the hon. Gentleman has called attention, and I wrote for full and accurate information on the subject. I shall only say that in this matter, and in every other, whether founded or unfounded, I shall take care that every charge of this kind shall be thoroughly inquired into. I feel that I have satisfied the House that as far as the officials of Mountjoy are concerned, no harshness has been shown to the prisoners. In conclusion, I will say that it has been my duty to read hundreds of letters from prisoners in Mountjoy, and in them they have invariably expressed themselves grateful for the treatment they have received, and for the excellence of their diet. Considering their painful position, the irksomeness of confinement, which must be very great, they have contributed valuable testimony to the uniform humanity with which they have been treated. A prison is not a pleasant place—persons are not sent there for amusement—but I will say that the whole object of the Government and of the Directors of Convict Prisons is to carry out the law without unnecessary severity. I am certain that no matter by what Returns you may test the truth, you will find that there is no ground whatever for the allegations of harshness which have been so repeatedly and generally circulated by those whose object it is to throw odium upon the Government in consequence of the measures it has adopted for the suppression of the Fenian movement.

MR. BAGWELL said, he was willing to give credit to his noble Friend for doing what was the best under the circumstances, but must object to the plan of having a resident medical man under the control of the officers of the prison and of the Government, and who must be very slow indeed—except he was a very extraordinary man—to object to anything he might be directed to do by those over him. He trusted that plan would not be carried further, and that as the Government had taken the thing out of their own hands, they would be more particular than they would be if the medical officer was a man having the means of living if he lost his situation. When he found that the jury had returned a verdict that the man into whose death they had inquired ought to have been sent earlier to hospital, and that the doctor should have been more attentive to exterior cases, he considered it a very grave matter. No doubt the verdict was a most unsatisfactory one for the medical officer, as it had been returned by a number of independent men upon their oaths, selected by the coroner from the general body of citizens. He thought there ought to be some means by which the public outside might be made aware of what was going on within the walls of the prison, and that in reference to the case of Matthew Lynch, the noble Lord the Secretary for Ireland would, at some future period, be enabled to furnish a satisfactory explanation to the House.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

MR. BAGWELL proposed the following new Clause:—

> "That no warrant granted under this Act shall be in force for a longer period than three months, and every person arrested under this Act shall be entitled to be discharged on the expiration of the warrant under which he was arrested, unless a new warrant for his further detention shall be lodged, previous to the expiration of the original warrant, with the Governor of the gaol in which he shall be confined."

His reason for moving this clause was that it had been stated that one prisoner had been in custody for a year and eleven months without having been brought up, and he wished to prevent the possibility of prisoners being kept in confinement for a lengthened period, and possibly forgotten.

New Clause (No Warrant to be in force for more than three months,)—(*Mr. Bagwell,*)—*brought up,* and read the first time.

THE EARL OF MAYO assured the Committee that for a prisoner to be detained in gaol through forgetfulness of his case was impossible. Returns were constantly made to the Government of all persons in custody under the Lord Lieutenant's warrant, with any new information respecting them; and they had every facility, of which they frequently availed themselves, of memorializing the Government for release, these memorials always received careful consideration. He was ready at any time to give information respecting the arrests that were made; but if an impression went forth that persons were only arrested for three months, and that they would then be certainly released, the effect would be mischievous. He could not assent to the clause proposed, which would have the effect of putting a limit to the powers of the Government, which was not contemplated in the provision already sanctioned, and under which those powers were confided to them for one year. He hoped the hon. Member would be satisfied with his assurance that the circumstances of no single case were ever forgotten, and that representations made by any prisoner were always attentively considered.

SIR COLMAN O'LOGHLEN said, he thought there should be some limitation of the period of detention, since two years' imprisonment was the maximum punishment for misdemeanour. If there was an objection to three months, six months might be fixed, and this would impose no trouble on the Government beyond the preparation of fresh warrants.

MAJOR GAVIN said, he would press upon the Secretary for Ireland the propriety of introducing this clause. He admitted that everything done by the present Government under the Suspension Act had been done discreetly—with great prudence and mildness—and in a way which had given great satisfaction to every loyal man in the country. It was possible, however, that before this Act expired the present Government might not be in office. There might be a Lord Lieutenant and a Chief Secretary not so prudent and discreet as the present ones, and not so well acquainted with Ireland. In view of this contingency, he should support the clause, for whenever anything in Ireland had been violently and badly done, it had been done not by true Irishmen but by foreigners.

Mr. WHALLEY said, he thought that anything that could tend to modify the Act and satisfy those in the House who represented the parties against whom it was directed, was deserving of the best attention of the Government.

Mr. PIM concurred in the suggestion that the operation of the warrant should be limited to six months, and observed that that was the term to which the suspension of the Habeas Corpus Act extended when it was first proposed. The ground of the arrest of these persons was that they were dangerous, and he believed the Act would have an equally beneficial effect if the Lord Lieutenant was called upon to review every six months the reasons for the detention, while such an arrangement would give satisfaction to the people of Ireland.

Mr. REARDEN, while giving the Lord Lieutenant the utmost credit for humanity, thought the clause was a wise one.

Mr. GATHORNE HARDY said, his noble Friend's conduct had been greatly eulogized by hon. Members opposite, especially with reference to the suspension of the Habeas Corpus Act. So far from the Government wishing to keep men in prison longer than was necessary, the practice had been to discharge them as soon as it could be done without risk to the country, and that was shown from the fact that whereas there were 260 persons in custody last year, there were now only ninety-four. That was convincing proof that the Government were anxious to get rid of the charge of these men as soon as they ceased to be dangerous. The House by the second reading of the Bill had assented to the propriety of suspending the Act for another year, and surely, after the Government had acted with prudence, discretion, mildness, and humanity, the Committee would not hesitate to continue to them the powers now asked. The Government had at any time given every information required, and furnished a list of the persons incarcerated under the suspension of the Act. No one had alleged that any prisoner had been unjustly treated, for whenever any of them gave an assurance that they would not again engage in the transactions which were the cause of their detention, and would at once leave the country, they were immediately set at liberty. Such being the case, the passing of the clause now proposed would be a slur upon his noble Friend, as it could not be supposed that it was really necessary to have the warrant renewed every three or six months. And what would be the result of such a course of procedure? At the present time every prisoner had the power of presenting petitions, which were regularly and carefully taken into consideration; but if at the end of three or six months all warrants were to be renewed the necessary signatures would be affixed to them without any inquiry whatever. Every official knew the mode of signing routine papers. Hitherto the inquiries respecting prisoners had been conducted with the greatest care and prudence, even according to the admissions of hon. Gentlemen opposite, and under these circumstances he trusted the Motion for the insertion of a new clause would not be pressed.

Motion made, and Question put, "That the Clause be now read a second time."

The Committee *divided*:—Ayes 18; Noes 31: Majority 13.

House *resumed*.

Bill *reported*, without Amendment; to be read the third time *To-morrow*.

COUNTY COURTS (ADMIRALTY JURISDICTION) BILL.

On Motion of Mr. Norwood, Bill for conferring Admiralty Jurisdiction on the County Courts, *ordered* to be brought in by Mr. Norwood, Mr. Headlam, and Mr. Candlish.

Bill *presented*, and read the first time. [Bill 33.]

JUDGMENTS EXTENSION BILL.

On Motion of Mr. Craufurd, Bill to render Judgments or Decreets, obtained in certain Courts in England, Scotland, and Ireland respectively, effectual in any other part of the United Kingdom, *ordered* to be brought in by Mr. Craufurd, Mr. Huddleston, Mr. Moncreiff, and Mr. Dunlop.

Bill *presented*, and read the first time. [Bill 34.]

FINES AND FEES (IRELAND) BILL.

On Motion of Mr. Hunt, Bill for transferring to the Consolidated Fund the sum produced be the accumulation of certain Fines, Penalties, and Fees levied and paid in Ireland, *ordered* to by brought in by Mr. Hunt and Mr. Chancellor of the Exchequer.

Bill *presented*, and read the first time. [Bill 35.]

House adjourned at Eleven o'clock.

HOUSE OF COMMONS,

Wednesday, February 19, 1868.

MINUTES.]—Select Committee—On House of Commons (Arrangements) *appointed;* on Military Reserve Funds *nominated.*

Public Bills—*Second Reading*—Bank Holydays [15]; Life Policies Nomination [19]; Compulsory Church Rates Abolition [21].

Third Reading—Habeas Corpus Suspension (Ireland) Act Continuance [28], and *passed.*

REGULATION OF COAL MINES.

QUESTION.

Mr. NEATE said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to bring in a Bill for the Regulation of Coal Mines, founded on the Report of the Committee on that subject, which was presented last Session; and whether, in deference to the recommendations of that Committee, he has exercised, or whether he intends to exercise the power which he now possesses of appointing additional Inspectors of Coal Mines?

Mr. GATHORNE HARDY, in reply, said, he was not yet in a position to state whether he would bring in a Bill for the regulation of Mines. He was at present in communication with several persons on the subject. As to whether, in deference to the recommendations of that Committee, he had exercised, or intended to exercise, the power he possessed of appointing additional Inspectors of Coal Mines, that was a matter which was still in abeyance. At present he was not prepared to appoint such a number of Inspectors as would relieve proprietors of their charge, and make the Government responsible for the management of Mines. He was only disposed at present to appoint a number of Inspectors sufficient to see that proprietors managed their Mines with due care.

BANK HOLYDAYS BILL—[Bill 15.]

(*Sir Colman O'Loghlen, Mr. Stacpoole.*)

SECOND READING.

Order for Second Reading read.

Sir COLMAN O'LOGHLEN, in rising to move that the Bill be now read the second time, said, it had three distinct objects. The first was to make the day after Christmas Day, commonly called St. Stephen's Day, a Bank holyday; the next was to enable the Queen in Council, by Royal Proclamation, to make a Bank holyday either for the whole country or for any particular part of it, without the necessity of obtaining an Act of Parliament, which was at present required; and the third was to make bills of exchange and promissory notes which fell due upon Sunday, payable on Monday instead of, as now, on Saturday, and those which fell due upon a holyday payable on the day after, instead of the day before. In respect of the first object, he believed there was no substantial objection to the Bill. The general feeling, inside the House and out of it, was that the day after Christmas Day should be made a Bank holyday. Hon. Members were aware that the day after Christmas Day was becoming more and more a general holyday for the whole kingdom. The holyday was celebrated in all the public offices, except, perhaps, the Customs, and he trusted that soon it would be made one there. In the columns of *The Times* at Christmas an immense number of commercial houses announced that they would be closed the day after Christmas Day. It was, however, impossible for the banks to close without an Act of Parliament, and hence the necessity for this Bill. This holyday was its chief object, and he did not think that any reasonable objection could be raised to it. The bank clerks were a hard worked body of men and ought to have secured to them any reasonable relaxation, and considering the few holydays they got as a body, it was not too much to give them the day after Christmas Day. It was an old saying that Christmas came only once a year. He had presented a petition for this holyday signed by 3,500 bankers' clerks, and another petition had been presented which was signed by influential bankers in different parts of the country. On the other hand, there had been an entire absence of opposition to the Bill in the organs of public opinion. A banker's clerk could hardly enjoy Christmas Day if he was obliged to be at the bank by nine o'clock next morning; and it was utterly impossible at present for him to join friends in the country. As to the making of a Bank holyday without an Act of Parliament, no such holydays could be made at present except on days of Public Fast or Thanksgiving. It often happened that it was advisable or necessary on a particular occasion that there should be a holyday in the whole country or in some part of it;

but the holyday could not be made unless Parliament was sitting. On the occasion of the funeral of the Duke of Wellington public feeling was so strongly in favour of a holyday that Government brought in and Parliament passed a Bill making the day a Bank holyday in London and within ten miles of the City. The Government were able to do thàt because Parliament happened to be sitting in November, otherwise a Bank holyday could not have been obtained. He therefore proposed that the Queen in Council should have the power to proclaim a Bank holyday in London, in Dublin, or in Edinburgh without the necessity of having recourse to an Act of Parliament; and the House would feel satisfied that the discretion was not likely to be improperly exercised. From what he had heard he believed there was some difference of opinion about the last part of the Bill, which would make promissory notes and bills of exchange payable the day after instead of the day before Sunday or a holyday. He was quite prepared to accede to a suggestion for further inquiry before that part of the Bill was adopted. It might be said that he proposed a radical change in the commercial law of England; but it was only in England and in France that payment on the day before the holyday was required. Payment the day after was the rule in Holland, in Russia, and in Germany. In 1847 Prussia proposed a commercial code for Germany. It was considered at a meeting of delegates from Northern States held at Leipsic in October, 1847, and in November, 1848, the code was adopted by legislative enactment at Frankfort. Since then the code had been adopted in thirty-seven different States, including Hamburg. By that code bills falling due upon a holyday or a Sunday were made payable on the day after. France and England were, so far, exceptions to the rest of Europe in this respect. Even in France, under the Code Napoléon, although bills were payable the day before, they could not be protested until the day after a holyday; here they might even be protested the day before. In America the law was peculiar. There might be days of grace according to agreement between the parties. If there were, and the last day of grace was a Sunday, the bill was payable on the Saturday; but if there were not, the bill was not payable until the Monday. It was no great revolutionary change to adapt the law of England in this respect to that of the majority of European States. It was a curious thing that even here, although promissory notes falling due on the Sunday were payable on the Saturday, the interest of bonds or debentures under like circumstances did not fall due until Monday. The Bill would make the law alike with respect to bills of exchange, notes, and bonds. If two days' bills were to be paid on one day, it was much more convenient that they should be paid on the Monday than that they should be paid on the Saturday, which was more or less of a half-holyday. In some parts of England the banks closed in the middle of the Saturday, and in Dublin, Cork, and Belfast they closed at one o'clock. A great number of commercial bills fell due on the 4th, and when that was Sunday, Saturday's business was very heavy. It had been said that if St. Stephen's Day were made a Bank holyday three close days might come together—Christmas Day, Saturday, and Sunday; but that could occur only once in every five or six years; and the objection to it was not so great as it otherwise would be when it was remembered that there was a general suspension of business at that period.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

MR. STEPHEN CAVE said, the hon. Baronet was kind enough to speak to the President of the Board of Trade and himself on the subject of this Bill. They informed the hon. Baronet that it was not the intention of the Government to oppose the second reading; because they considered the subject was a fair one for consideration, and there had been an expression favourable to the hon. Baronet's opinion out of doors; but, at the same time, they guarded themselves carefully from saying that they approved of the details of the Bill. Since that time he had made it his business to inquire what was the general feeling of the commercial public in the City; indeed, he saw an influential deputation on the subject an hour ago. He found very great variety of opinion with respect to the measure, and as the hon. Baronet had clearly stated the arguments in favour of his proposals, he would mention very briefly some of the objections to the Bill passing in its present shape. In the first place, the provisions with regard to Christmas Day and Good Friday could not apply to Scotland, because those days were not observed north of the Tweed; and he believed that the practice of Edinburgh as to fast-days and holydays differed from that of the rest of Scotland. Well, then, suppose the Bill limited to England, or England and Ireland. In Scotland, bills due on Sunday were payable on Saturday. He would take the case of a trader in Scotland—and the same might be said of a foreigner, at least of a Frenchman—having to pay a bill on a Sunday—that is, on a Saturday—and expecting a remittance to enable him to do so on account of a Bill due to him in England on the same day. But if that Sunday was the day before Christmas Day, he would not under this Bill get his money till the Wednesday, so that he would have to provide, it might be said, 40*s.* in the pound in the interval. It was a serious thing for a man not to get his money until four days after he expected it. Again, it had been represented to him by bankers that there would be immense inconvenience in large establishments in crowding into one day the work of four; and it must be remembered that though this was called by some a merchants' question, it was one of great consequence to bankers. The merchant advised the bill, but the banker had the trouble of paying it. With respect to holydays by Royal Proclamation, it might seem clumsy that an Act of Parliament should have to be passed to enable these to be kept as close holydays; and it was, of course, impossible to pass such an Act when Parliament was not sitting, as would, under ordinary circumstances, have been the case at the time of the Duke of Wellington's funeral. But, at the same time, there was some advantage in submitting such a question to the review of Parliament. It was becoming the fashion to give more holydays than formerly, and it had been urged, though he did not insist on the argument, that the practice might be extended till considerable inconvenience arose. It had been suggested to take a middle course, and provide that these should be holydays except for clearing-house purposes—that was, except for paying bills—and that not more than two should be so proclaimed in the year. He found a more general concurrence in the proposal to make bills falling due on Sunday payable on Monday, as a matter of convenience, and for the sake of the half-holyday; because Saturday was now scarcely a half-holyday in banks, and certainly not when it was the 3rd or 4th of the month. Moreover, it being a short day of business, small traders, who had to run about here and there to collect money to meet bills, were very often put to great straits. On the whole, the opinion of those whom he had consulted agreed that these questions had better be referred to a Select Committee, in order that the balance of advantage or disadvantage arising from the change might be inquired into. He understood from the hon. Baronet that he assented to this course. There were two other points akin to the subject-matter of the Bill which were also of great importance. The first was the abolition of days of grace, which he believed had taken place in every country, or nearly every country, except England. The object of days of grace seemed to have ceased in these days of telegraphy and acceleration of mails. The other was the practice of noting bills on the day on which they fell due. The practice of noting bills was rather curious, and perhaps the House would allow him briefly to describe it. Unpaid bills came back from the clearing-house at five in the evening to the banks to which they belonged, they went through the banker's book, and were placed in the hands of a notary, who sorted them into districts or "walks," and committed them to clerks, who took them, presented them at the banks at which they were made payable, and then applied to the acceptor at his place of business. This happened long after office hours—any time, in fact, before 12 o'clock at night. The clerk, of course, found no one either at the bank or at the place of business except perhaps an old woman. He went next day to the bank with his notarial ticket attached to the bill, for which he charged 1*s.* 6*d.*, and this became the legal evidence for the protest which ensued. This operation seemed very absurd; and it had been proposed to extend the time for noting bills to 12 at noon on the following day, by which time he was told many bills would be taken up and expense saved. Attempts had from time to time been made to legislate on both these questions, but had not been successful. The deputation he saw that day expressed a strong wish that these points should be inquired into by the Select Committee on this Bill; and, if the House agreed, he should be willing to move that the order of reference include them. He found a general wish for a full inquiry before legislation on these matters, and a feeling that we ought not for the sake of mere symmetry, and unless the advantage gained be great, to change ancient customs, because any change, even for the better, in the commercial practice of an old country like this must be productive of disturbance and inconvenience.

Mr. GOSCHEN said, that a very large question had arisen, out of what was originally a very small one. The origin of the Bill was the desire to make the day after Christmas Day and other holydays perfectly close; but that was a matter very distinct from the question raised by the Vice President of the Board of Trade as to general legislation on the subject of bills of exchange. As regarded a bank holyday on the day after Christmas Day and Good Friday, there was much force in the objection based upon the Scotch law. There were other objections besides that. The Bill professed to deal only with questions of banking; but it would affect many other branches of commerce. It was a serious thing to stop the commerce of the country even for one day. One question which would arise was that of insurances. What was to cover the insurance of ships announced by telegraph, supposing there were three or four close days together? It might be said that insurance was not banking; but you could not stop half the business of the city without stopping the whole, and the laudable intention of increasing holydays must embrace all branches of business. So long as the mails ran it would be difficult to keep a close holyday. The case of Scotland had been mentioned; but it would be the same with foreign transactions. It might happen that remittances would have to be made to foreign creditors on Saturday, while, owing to the intervening holydays, the money due to the same firm by English debtors might not be received until the following Wednesday. He would not encourage the proclamation of holydays by the Queen, for unless the days to be proclaimed were known long beforehand they might cause great inconvenience, and perhaps, in some cases failure, owing to the disappointment of money not coming in on the day when it was due, through the action of Parliament enacting that money should be paid the day after instead of the day before. He thought it most desirable that the question with respect to bills of exchange should receive the fullest investigation, for it was one infinitely more difficult than might appear at first sight. With regard to the question of making bills due on Sunday payable on the day after, instead of the day before, there was some force in what fell from the right hon. Gentleman the Vice President of the Board of Trade, but it should be remembered that Monday was one of the busiest days in the London banks. On Monday, there are generally two days' mails bringing two days' bills, which involved a great deal of additional work, and, therefore, by attempting to relieve Saturday, a burden might be thrown on the Monday which it would not be easy to bear. The right hon. Gentleman opposite (Mr. Stephen Cave) had raised the important question of referring to the Select Committee on this Bill the general subject of alterations that might be made in the law on bills of exchange. He would suggest that if we were setting about changing our laws with respect to bills of exchange, it would be exceedingly desirable to do so in concert with foreign countries. Bills of exchange were the means by which our business with foreign countries was conducted, and the greatest confusion might arise from a difference in our laws upon the subject, and those of foreign nations. The laws with regard to the endorsing, noting, and protesting of bills, differed in France, Germany, England, and other countries; and the consequence was that, in many cases, people receiving bills from abroad, scarcely knew what measures they ought to take to secure their payment. As the Board of Trade had taken advantage of some opportunities for assimilating the law of this country to that of foreign nations, he would suggest that it might be opportune, in dealing with the subject before the House, to see whether, by common consent, some fairly universal system might not be adopted. Such a course would not, he thought, interfere with the investigation by the Select Committee, which might elicit some valuable information on this subject. He should deprecate any attempt at legislation without the fullest previous investigation.

Mr. T. BARING said, he had been anxious to hear what were the reasons for the proposed changes, for he had heard a great deal against it from persons of very high authority. The hon. and learned Baronet had said that his Bill might be called a revolution. He was not going to object to it on that account; he only thought it an imperfect and useless measure. The Vice President of the Board of Trade had said that in a commercial country there was an evil in change unless it were counterbalanced by immediate or great prospective benefit. He must say he saw no advantage in the proposal of the hon. Baronet. The Bill contained two principles—the compulsory making of holydays without any disturbance of the rate of remuneration, and the postponement of the payment of just debts. The hon. Baronet proposed that Bills should, in some cases, be paid four days after they were now payable, but that might become a very serious matter indeed. There was no doubt that the transfer of business from Saturday to Monday would entail enormous additional labour on the banks. He confessed he saw no ground for a Committee of inquiry. It was a small and petty measure as proposed, and the Government might have fairly accepted the opinion of those most interested—the gentleman at the head of the great banks. The right hon. Gentleman opposite (Mr. Goschen) had suggested an inquiry into the whole of our commercial system of bills of exchange and international relations. But if they were going to propose a new code of commerce what an absurdly vast inquiry to enter into in connection with such a petty measure as this. The British Code of Commerce was founded on the decisions of the Courts of Law, and there was no better code of commerce in the world. But if we were to enter upon an inquiry in the first place whether we were to change the days of grace, and then whether our system of endorsement and all our usages of commerce were in conformity with those of the rest of the world, we should enter not only into a vast and endless field of investigation, but throw an injurious uncertainty into our commercial relations. The hon. and learned Baronet was for postponing payment, but the right hon. Gentleman the Vice President was for anticipating it and doing away altogether with the days of grace. But such changes would, in point of fact, be very mischievous; they would derange commercial usages abroad, where they reckoned on the three days after the bills were due. His right hon. Friend was of opinion that on Saturday it would be more convenient for the small trader to put off cashing his bills until Monday, because Saturday was a short day. But, however short a day it was, the petty trader, in all probability, would find it more convenient to have his bills cashed. The hon. and learned Gentleman had said that he had got 3,000 or 4,000 petitioners for an increase of bank holydays. He had no doubt of it. It was easy to find petitioners for such a purpose, and if it were proposed to get up a petition for an increase of the Easter and Whitsuntide holydays of that House, he was not sure that it would not receive a great number of signatures. The gentlemen who had signed the petition for this Bill thought that they could do less work for the same pay. But he did not know what benefit was proposed by increasing the number of compulsory holydays, and it was well known that the paucity of holydays, in Protestant countries, was regarded as giving them a commercial advantage. He was sorry that the Vice President of the Board of Trade had given his consent to a Committee, but he hoped that they would not have to go into an inquiry as to our commercial code.

MR. ALDERMAN SALOMONS said, it was a great advantage to the House to hear upon this subject the opinion of the first commercial authority in this country. As far as he was acquainted with the views of the banking interest, they were most anxious to relieve their clerks and give them as many holydays as they could; and if the Bill had been limited to the power of the Privy Council to grant holydays, he would not be disposed to offer any opposition. What bankers felt alarmed at was the change of day upon which mercantile obligations were payable. It was now well known that bills coming payable on holydays must be paid the day before. In Scotland the practice was the same, both as regarded general holydays and certain Church holydays. He had made inquiries about the American usage, and he found that almost all the States followed closely the custom derived from the mother country. Then it should not be forgotten that the commercial regulations of France were derived from the Code Napoléon which was compiled by men who had examined carefully all the customs of society, and a part of that Code was that bills payable on any recognized holyday should be paid the day before. He believed that in every part of Europe in which the Code Napoléon prevailed the custom as to the payment of bills was the same; but his hon. and learned Friend (Sir Colman O'Loghlen) had been compelled to cite Prussia and Russia as authorities to this country. Now, if the right hon. Gentleman the Vice President of the Board of Trade and the Committee of Inquiry were of opinion that, with due regard to the interests of commerce, the custom of paying bills should be altered to the day after instead of the day before they were due, he was quite prepared to give his consent; but he would say that when a man of honour and commercial reputation had given his bill, and found that it could not be paid on the day it was due, he would feel it, not merely a matter of commercial usage, but of personal honour, to go at once and pay the Bill the day before, and that had been the usage of this country ever since it had become a commercial nation.

MR. M'LAREN said, he decidedly objected to the extension of the Bill to Scotland, for the simple reason that the great mass of the people of Scotland being Presbyterians know nothing at all about Good Friday, and he might almost say they knew still less of St. Stephen's Day. He confessed, for his own part, that he did not know there was such a Saint's day in the calendar until he heard the hon. Gentleman name it. To propose to suspend business for two days, as to which the mass of the population of Scotland were utterly ignorant—not even knowing when they occurred—seemed to him most preposterous. Suppose a man went to the Bank on Good Friday to get a remittance, the bill being due in London, what was he to do when he found the doors closed? It was most objectionable to try and force a practice of this kind upon a people who had no sympathies with it, or knowledge of the reasons why these particular days should be set apart.

MR. BARNETT said, he thought the Government had taken a wise course in referring the Bill to a Select Committee, and he hoped the inquiry would be limited, as far as possible, to the scope of the measure. The existence of bank holydays affected a larger number of the community than might be supposed in the first instance, and it would not be right to set the convenience of clerks against that of the public at large. One of the principal points for the Committee to consider would be how utterly impossible it would be, when there was an accumulation of business for three or four days, for the clerks to perform their duties. With regard to establishing a holyday by proclamation of the Queen in Council, he was inclined to think that that part of the Bill might be very fairly adopted, because on more than one occasion some inconvenience had arisen owing to the necessity of passing an Act of Parliament for the purpose.

SIR COLMAN O'LOGHLEN said, he assented to the proposal that the Bill should be referred to a Select Committee. With regard to Scotland, it would be easy to make any exceptions which were thought necessary or desirable in the Bill. The holydays at present were Good Friday and Christmas Day, and the Bill only proposed to take one additional day—the day after Christmas. With respect to three days' bills falling due on that day, the slight inconvenience which might be created would only happen once every five years.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

LIFE POLICIES NOMINATION BILL.

(*Mr. Shaw-Lefevre, Mr. Hibbert, Mr. T. Hughes.*)

[BILL 19.] SECOND READING.

Order for Second Reading read.

MR. SHAW-LEFEVRE, in moving that the Bill be now read the second time, said, that the object of it was to enable persons effecting insurances upon their lives to nominate their wives and children to receive the benefit of such insurance at their death. The nomination would have to be endorsed upon the policy of assurance, and would have all the effect of a marriage settlement, whether ante- or post-nuptial. At present the execution of a deed or marriage settlement in which trustees were to be appointed was often a very troublesome and expensive process; to a large class of persons in humble circumstances it was no easy matter to find trustees who would act for them, or whom they would readily trust to receive money after their death on the chance of their paying it to the right persons. He hoped to obviate it by the very simple operation under the Bill. The company would be made the trustees for the payment of the money, and would simply be directed to pay it to the persons indicated in the nomination, and in that way the whole trouble about marriage settlement would be avoided. The proposal was not a new one, for the principle was sanctioned already by the Friendly Societies Act with regard to policies under £50. The measure had been adopted in several of our colonies—it was the law of two of the Australian colonies, of Canada, and also of New York and Massachusetts. He had been told that in Canada the immediate effect of the measure was the creation of a very large class of nomination policies, and within two months after the passing of the Act, one company, of which he had information, did twice as much business as in the two previous years. If this Bill passed, he had no doubt that a great extension of insurance business would take place in this country, especially in the case of small policies. The only objection he had heard to his proposal was that it would cause a little more trouble and expense to the insurance companies. That, however, would be more than compensated by the amount of new business that would be created. The only trouble would be the identification of persons to whom the money was to be paid. But by the recent extension of equitable jurisdiction to the county courts, a great many minor difficulties which might have existed under the old law would be obviated. The Bill, he believed, would be of great benefit to persons in moderate circumstances.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Shaw-Lefevre.*)

MR. ALDERMAN LAWRENCE said, they had heard of the difficulties which might arise to insurance companies if this Bill were carried, but nothing had been mentioned with regard to the difficulties which it might create as to creditors. He thought the title of the Bill ought to be, "A Bill to enable Persons to Provide for their Wives and Families at the expense of their Creditors." There was no limit to the scope of the Bill. The insurance might be for any amount, and therefore it equally applied to the upper classes and to small tradesmen, who might take the money out of their tills and pay for a life insurance, before they had provided for the satisfaction of their creditors, from whom they had obtained their stock in trade. There was no doubt a provision that if the insurer should become bankrupt or die insolvent within twelve months from the time of effecting the policy, the nomination should be void. But they all knew how easy it would be in many cases to avoid such a contingency; and if the bankruptcy or the death in insolvency should occur after that time, the creditor would have no remedy whatever, and a large sum of money might be settled upon the wives and families of persons who never had the means of effecting the insurance themselves. The operation of the Bill might also be most detrimental in regard to the insurers themselves, because it was provided in the Bill that the moment the nomination was made, no alteration could take place, and no assignment of the policy could be made, and therefore there would be no possibility on the part of the insurer of raising any money on the policy. He objected to the Bill on various grounds, and especially because it would create facilities for people to take the whole of their capital and place it out of the reach of their creditors; and they could speculate and gamble without running any risk whatever. He should not oppose the second reading of the Bill, but when it came into Committee it would require most serious consideration, as it would, in its present form, affect to a great extent the commercial honesty of the country.

MR. BARNETT said, it was right the House should know that serious objections were urged against the Bill by persons deeply interested in life assurance. The petition against it which he had just had the honour to present was signed by the actuaries of nine large insurance offices, and those signatures were not merely individual signatures, but they had been made with the consent and approbation of the directors of the various companies. They were of opinion that though certain advantages might arise from nomination there were certain counterbalancing disadvantages. At present a person might assign his policy to trustees for the benefit of his family, which was often done with the larger class of policies, and he was inclined to think would still be done in preference to this principle of nomination. The great difficulty attending the proposed system of nomination would be of a legal character. The difficulty of obtaining proper discharges for policies endorsed as proposed would be very great. In the case of minors the Court of Chancery or the County Court might appoint trustees; but in the case of persons abroad becoming entitled to the amount of an insurance, it would be necessary to find out where they were, and to identify them properly when found; and there were other points which would make it very difficult for the companies to discharge the policies, and might lead to frequent litigation. The ready payment after death of the amount of a policy was one of the great inducements with persons in a certain class of life to make these provisions for their families, and anything tending to impede or to delay that prompt payment would *pro tanto* interfere with the progress of life insurance. The extra trouble and expense and the difficulties with regard to payment must tell upon the offices. If the business of the offices were to be diminished, the profits would be diminished, and of course the assuring public would feel the loss. A certain portion of the premiums, beyond the actual measure of the risk of life, went to pay the office expenses and form a fund of profit, and if this were much reduced by increased expenditure it would cause great disappointment to insurers. He did not object to the second reading of the Bill, but when it came to be discussed in Committee he should feel it his duty to propose several alterations. The question would arise, whether some copy of the nomination should not be given to the offices, and he believed in the Bill of last year it was provided that some fee should be given to the offices for the registration of the nomination, and in some measure as a compensation for the additional trouble which would be created. The offices had a great objection to the responsibility of being made trustees for the insurances, and there might be some means of obviating that by nominating some one or two persons besides those who were to have the money, and they could give a valid discharge to the office upon the immediate payment of the money, undertaking themselves to find out and settle with the nominees who were to receive the money. One of the proposals contained in the Bill was that all bonuses should be added to the amount assured for the benefit of the nominees. But there were three large insurance companies whose constitution only entitled them to give a bonus by the reduction of the premium—a mode of operation which was very popular. Those were points, however, which would have to be settled in Committee, where the Bill would have to be carefully watched.

Mr. NEATE said, that the object of the Bill was simply to obviate the expensive and cumbrous process of a deed of assignment by placing the nominees in the same position as they would occupy under such a deed. It was true, as the hon. Member for the City of London had pointed out, that the insurer, in nominating his wife and children to receive the amount of his insurance, precluded himself from being able to raise any money upon his policy. But that was a point for the insurer himself to consider, and was no objection to the Bill. In the absence of any legal objection to the Bill from any legal authority, he did not think they could do otherwise than agree to the second reading.

Mr. DENMAN thought that his hon. Friend who had just spoken had not done full justice to the objection of the hon. Member for the City of London. That objection was that the Bill would facilitate operations unfavourable to creditors, and that it was not desirable to do anything of that kind. It was notorious that rich contractors, carrying on dangerously speculative business were in the habit of placing money out of the reach of their creditors for the benefit of their wives and families. Now this Bill would facilitate operations of that kind, which would be very undesirable. The Bill was not confined to small operations, nor to annual or periodical payments. A great contractor, carrying on works which might make him worth almost a million or leave him in debt to that amount, and who could put off insolvency for a year or two, would be enabled by this Bill, with no expense or trouble, to pay down £100,000 at once to insure his life on a policy which at his death would bring in £200,000, and thus to withdraw from risk a large part of the fund which ought to be available to his creditors. He did not consider such operations legitimate. If the Bill were limited to policies of a certain amount on which the premiums were paid from year to year, and were not permitted to extend to cases where enormous sums might be sunk in a policy, and so withdrawn from the reach of creditors, it might be a useful measure, and he begged to commend the points he had suggested to his hon. Friend the Member for Reading.

The ATTORNEY GENERAL said, he was ready to agree to the second reading of the Bill; but many of its details would require considerable alteration, and more especially those which affected the interests of creditors. The 4th clause would enact that in the event of a nomination having taken place the money secured was to be absolutely free from payment to the creditors, provided the nominator had not been a bankrupt within a year of the nomination. Now it would be necessary to consider how far that provision was consistent with the existing Bankruptcy law. That, however, was a point which, with other details in the measure, would have to be carefully considered when it went into Committee.

MR. SHAW-LEFEVRE explained that the Bill was intended to meet the cases of persons of small means, and not the cases of large policies, which were now dealt with by deeds of assignment.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

COMPULSORY CHURCH RATES ABOLITION BILL—[BILL 13.]

(*Mr. Gladstone, Sir George Grey, Sir R. Palmer.*)

SECOND READING.

Order for Second Reading read.

MR. GLADSTONE: I rise, Sir, to move the second reading of the Compulsory Church Rates Abolition Bill; and as some considerable time has elapsed since this measure was introduced to the consideration of the House, perhaps I may be allowed to occupy a few minutes in giving a very simple description—and, as far as I can make it, not a polemical description—of its views and objects, and likewise of its position as a Parliamentary question. The hope with which this Bill was originally framed and introduced, and which I still cherish with no less cheerful a tone than that which I first entertained, was that we might by means of a measure of this kind procure—I will not say unanimity, or anything nearly approaching unanimity—upon a question of this description, which has been so long and so much controverted, but at all events such a concurrence of opinion as would give strong effect to the views and decision of the House of Commons, and as would promise the early settlement of the question, if not with universal, yet with general satisfaction. I thought that, as regarded those who may be called the church-rate abolitionists pure and simple, we should find upon their part a disposition to abate somewhat of the full purpose which they had had in view—at any rate to this extent, that we should fairly try the temper and opinion of the House of Commons upon a Bill of this nature. On the other hand, I likewise thought and hoped—and that hope had not been disappointed—that no inconsiderable number of Gentlemen sitting upon the opposite side of the House would, under the extreme difficulty of the case, be disposed to come some considerable way to meet us, and to adopt a measure of this kind as affording on the whole a satisfactory solution. In the course of a discussion which took place in the House, in the year 1866, there were two Members, if I remember rightly, Gentlemen of station and influence in the House, who declared that they would prefer a measure of total abolition to such a measure as that which is now upon the table. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) was one of those two Members. Well, I believe the choice is now before them—because it is quite evident that a Bill of this kind cannot be the object of prolonged contention from year to year. I could not expect of my hon. Friend the Member for Bury (Mr. Hardcastle), and of the large party, so to call them, whom upon this question he has so consistently and so ably represented, that they should abandon their own controversy for church rate abolition, with the prosecution and the attainment of their entire object in view, in order to launch themselves into another prolonged contest for a minor and a more limited purpose. All that I could ask of him and of those for whom he acts is, that they should make a fair experiment for the purpose of ascertaining the judgment of the House of Commons as to the practicability of settling this question by a measure of this kind; and if it should appear that there exists very largely upon the other side of the House a disposition to prefer total abolition, why, no doubt, the majority of those who sit upon this side would also prefer total abolition.. The consequence, therefore, of that declaration and of that state of sentiment would be that any scheme of this kind must very speedily pass out of view; while it was left to others to judge whether any consummation of the question except total abolition should be the one finally adopted. I must take this opportunity of rendering my thanks to my hon. Friend the Member for Bury for his willingness to make what he thinks a considerable abatement of his views for the sake of obtaining a wide if not a general support in this House, including no inconsiderable element of favour and approval from the opposite side. I must likewise express my strong sense of the liberal and conciliatory spirit in which—as I know from private and personal communications — many Gentlemen on the other side of the House have expressed their disposition to enter frankly on the consideration of the details of this Bill, with the view of making it, if possible, the basis of a legislative settlement of the question. It is therefore to be understood that this Bill may, at least so far as I am concerned, be treated in a manner the reverse of polemical. It is intended to make a fair trial of the judgment of the House. I have every reason to believe that, with the dispositions that have been shown, it may be accepted; but should I have formed a false estimate of the temper and spirit of the House, I certainly shall no longer attempt to worry either the one side or the other by putting before them modes of arrangement which I myself may think practicable, but shall leave my hon. Friend the Member for Bury to resume the position, without fetter or restraint, which he so long and so worthily occupied. What this Bill offers to Dissenters, as I take the matter, is the total and absolute abolition of the principle of compulsion; and it is for the sake of the attainment of that total and absolute abolition of the principle of compulsion that my hon. Friend the Member for Bury and those who act with him—my hon. Friend the Member for Sheffield (Mr. Hadfield) and others—have felt themselves justified in substituting this Bill *pro tanto,* and for the time, for the measure of my hon. Friend the Member for Bury. An idea has gone abroad that in the 5th and 6th clauses of the Bill, as they now stand, there has been a deviation from the view with which it was introduced, and a partial re-introduction of the principle of compulsion. I am very desirous to explain—not presuming myself to give any legal opinion, yet with the belief that I do not misrepresent the legal view of my hon. and learned Friend the Member for Richmond (Sir Roundell Palmer)—I am very desirous to explain that there is no foundation whatever for that idea. As far as the Bill has undergone change since it was first introduced, it has undergone change, I admit, in the sense of my hon. Friend the Member for Bury. Some disabilities with which it was originally charged have been removed; and the disability has lastly been removed for serving the office of churchwarden, because on consideration we have felt that all we could reasonably ask of the House was, that those who subscribe to the fund under this Bill should have the management of the fund, and if they chose to appoint for that purpose a person who had not subscribed it is not our business to interfere with them. But as regards the 6th clause, I will not now enter into questions respecting its wording, which had better be reserved for the Committee on the Bill, and I will leave it to my hon. and learned Friend (Sir Roundell Palmer) to explain the legal effect of the phraseology. I may, however, state distinctly and unequivocally the object of the clause and the mode in which the necessity for such a provision has arisen. The object of the clause is to place the churchwarden or administrator of this voluntary fund, to which the name and form of a church rate are continued, in precisely that same position with respect to his personal liability as that which he would occupy if he were the treasurer of an association of persons combined for the maintenance of a dissenting chapel, or of an hospital, or of any other philanthropic institution whatever. The necessity for the clause arises out of the fact that the main enactment of the Bill is that contained in the first clause, which provides that no suit whatever shall lie in any Court for the purpose of enforcing or compelling the payment of a church rate made in any parish or place in England or Wales. Well, now, as I understand, if the treasurer, we will say, of a dissenting chapel—because that is perhaps the case most nearly analogous—has received from persons connected with the congregation, or others, the promise to subscribe certain sums for maintaining or improving the chapel, it is very doubtful what the legal position of those promises is so long as no proceedings have been taken upon the faith of them; but if upon the faith of these promises—they being definite and clear in their character—the treasurer has himself become liable by a contract for the payment of a certain sum, then he would undoubtedly be entitled in a Court of Equity to recover upon those promises the sums which had been engaged to be paid. We must, therefore, look to the fact that unless we introduce words to secure to the churchwarden in this particular case that power of recovery, he will be barred by the accidental and unintended operation of the words in the first clause of the Bill, which make it impossible to compel the payment of church rate, because the name and force of the rate would still be retained. The effect of the 6th clause, as I am advised, and, at any rate, its object, is to bring these payments, when the liability has been incurred for them, within the scope of the general law of contracts, and to provide that if they be promised on behalf of any voluntary institution, though they be promised in the name and form of church rates, they shall be contracts. That is, I hope, a clear and unequivocal explanation, showing that in principle and in aim these clauses are in entire consistency with the original purposes of the Bill; and with regard to the terms of expression, to which no specific objection has as yet been made, there will be every disposition on the part of my hon. and learned Friend (Sir Roundell Palmer) and myself to consider, if a change should be thought desirable, what other words can properly be substituted. I will now venture to state very briefly what, as I conceive, is the nature of the advantage this Bill will offer to persons connected with our parish churches as compared with the system of total abolition. There are many persons who are disposed to say that this is a compromise all upon one side, and that in abolishing compulsion you abolish church rates, and leave nothing which can be considered as an equivalent or a set-off against that abolition. That which I conceive to be an important advantage to be gained by this Bill is, that it will facilitate the extended use of a system which is even now more or less in use—namely, that system under which at the present moment—and even to my knowledge in certain cases in parishes of large population—the voluntary principle is substantially applied, and rates are levied without the smallest idea of resorting to the practice of compulsion. The Church and those connected with the parish church would, under this Bill have, I think, an undisturbed maintenance of their present methods of procedure in cases where the present methods of procedure give satisfaction to the population of the parish. Now I own I estimate myself as very considerable the value of that machinery. To town parishes and to populous parishes I admit the application of that opinion would be narrow and limited, because in those parishes it is not or ought not to be difficult to substitute a new machinery for the old one; but in the rural parishes where things go on from generation to generation with little change, where nearly all the ratepayers are agricultural occupiers, it seems to me that although the theoretical difference may be small the practical difference would be very great indeed, between a system which entirely and rudely shivered to fragments the existing machinery of church rates, and a system which leaves that machinery to operate, although upon a basis that is known and understood to be voluntary and free. The right hon. Gentleman the Member for Oxfordshire observed with great truth, that although a church rate may be a just measure of legal liability as between man and man—that is in certain cases, for I could not assent to the proposition universally—yet it is by no means in the same degree a just measure of their capacity for free and voluntary contribution. I think there is great truth in that observation. It is an observation of exceedingly limited application, however, in agricultural parishes. But my answer to the right hon. Gentleman would be this, that if the circumstances of the parish be such as to make the form of church rate an inconvenient method for obtaining the subscriptions necessary for the purpose of the church, the remedy under the Bill is obvious—namely, that some other form of subscription may be adopted, and yet still the machinery of the vestry and of the appointed officers—that is to say, the churchwardens—will be available for that purpose. Perhaps I may be told that is a slight matter; but in my opinion it is very far from being a slight matter, for what is the case now in many parishes where church rates are virtually abolished, and where, with the abolition of the compulsory rate, the use of the old parochial machinery has disappeared? Why, in my opinion, one very great practical evil results, and it is that the secular business of obtaining funds for the maintenance of the fabric and the services of the church devolves in too many instances upon the already overburdened clergyman, and tends to make him in a still greater degree that which I own I think he is now in a degree much greater than is desirable—namely, a person drawn off from his spiritual duties by the absolute and stringent necessity of many occupations, which, however useful, are temporal in their character. I hold, therefore, that not only after the compulsory payment of church rates has been abolished, but even after it has been found that the form of church rate is inconvenient—namely, in the case contemplated by the right hon. Gentleman, still it will be a great advantage that there should be a vestry and churchwardens to whom the clergyman would be entitled to look to bear these liabilities, and that he should not be subject to that great practical evil—acting in the first instance upon him, and through him upon the parishioners at large—of having his hands weakened for spiritual purposes in order that he may discharge duties of a very essential nature, but still not spiritual, but temporal in their character. Now, I think that upon the whole I may go one step further than that, and say, without treading upon any ground where differences of opinion, or, at any rate, differences of feeling, are likely to arise, that I contemplate with very great dissatisfaction whatever tends to disjoin the action of the clergyman, whether in the management of his church or in the management of his parish, from the counsel, the affection, the good will, and the approval of the laity; and that, I think, it a great advantage, instead of running the risk of driving the clergyman into a personal action with reference to the fabric of the Church, which, I fear, might be the effect in many parishes of total abolition, that you should leave him in contact with his parishioners, and allow them to assemble in a lawful, usual, and prescriptive manner, with reference to everything, that belongs to the attainment of these purposes. I have now, I think, sufficiently stated to the House the general views with which this Bill has been introduced, and my purpose in desiring to know, from what may take place upon the present occasion, and in the Committee on the Bill, whether the House is inclined to entertain it with a still larger amount of assent than that very large amount which my hon. Friend the Member for Bury has succeeded in obtaining for his more unrestricted measure. I will only make two further observations. In the first place, it is not the principle of the church rate that is now at issue, either upon this Bill or upon the Bill of my hon. Friend the Member for Buckingham (Mr. Hubbard). The principle of a church rate is, that as the fabric of the Church is intended for the benefit of the entire community, the entire community should be liable to its maintenance, and in like manner to the continuance of the services of the Church. It is not necessary to enter upon any argument with respect to that principle at a time when apparently the vast majority of the Members sitting on both sides of the House are not prepared to entertain it. But with reference to those who think that the surrender of that principle is in all cases likely to be either fatal or injurious to the existence of the National Establishment of religion, I hope I may be permitted to express this opinion, that unless the sore place of the vestry-cess in Ireland had been healed and closed up some thirty-five years ago by the resolute action of Lord Derby, when he, by the Church Temporalities Act, destroyed the principle of a Church Establishment for Ireland—so far as that principle is involved in a rate for the maintenance of the fabric and for the services—it is highly probable that the Irish Church Establishment would not be in existence at this moment. Whether that is a recommendation or not of this method of proceeding, it is not necessary for me at the present moment to inquire. But speaking in the face of my hon. Friend the Member for Sheffield (Mr. Hadfield), I own my personal opinion is that for all practical purposes the Church of England would be greatly—not weakened, but strengthened and confirmed, by removing wholly out of action and out of view all petty causes of irritation and disaffection, such as those which arise from time to time in the attempt to administer the law of church rates. I have endeavoured to state thus generally the purposes with which this Bill is offered to the House. I assure the House that it is not intended, as far as I am concerned, to be made an instrument for annoying or bewildering them with the multitude of recipes and remedies of different doctors prescribing for this inveterate and complicated disease. I wish to make a fair trial of the judgment of this House; and if the judgment of the House should, as I hope, be given by a large and preponderating expression of its sense in favour of a measure of this kind, I feel sure that obstacles to its success will not be raised elsewhere; but that the wisdom and the prudence which have so often governed the settlement of these matters will prevail, and that the Bill will become the means of effecting an early and, on the whole, a satisfactory termination of a too long protracted controversy.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gladstone.*)

Mr. HENLEY said, the right hon. Gentleman the Member for South Lancashire had very fairly explained the objects of the Bill, and he had to thank the right hon. Gentleman for setting in such a clear light many of the objections which he (Mr. Henley) had to the measure. The right hon. Gentleman had stated with great truth that his own Bill and that of the hon. Member opposite (Mr. Hardcastle) were identical, so far as the doing away with church rates was concerned. He (Mr. Henley) would not touch upon that question, because with respect to that point his objection to both Bills was precisely similar. He would confine himself to an examination of the other part of the right hon. Gentleman's Bill to see whether it would mitigate in any and in what degree the inconveniences of total abolition. He would state to the House why the provisions of the Bill now under consideration would, in his judgment, not only not mitigate these inconveniences, but would in reality throw difficulties in the way of such a mitigation. He would further give his reasons for thinking that the measure, instead of affording facilities for the establishment of a voluntary system would throw considerable difficulties in the way to such a consummation. The right hon. Gentleman had very fairly said that, in respect to the question of assessment, according to the present valuation, there might be cases where the law acted unjustly; but with a view to guard against that he desired to establish a mode of voluntary subscription. Such a system could of course be carried on according to the will of every one, and each could give what he pleased, and in that respect the objections might be got rid of. But he would ask the House what advantage would this Bill bestow, or in what better position would those persons be who desired voluntarily to subscribe than they would be without such a Bill? That was the real question which the right hon. Gentleman had to prove affirmatively. If people were not to be placed in a better position by reason of this measure than they would be without it there was no use for its introduction—it was clearly surplusage. He agreed that it was desirable that the parochial clergy or the clergy elsewhere should be relieved from the necessity and, it may be, the anxiety of maintaining the fabric of the Church. But it seemed rather odd to him that the right hon. Gentleman, entertaining that strong opinion, should propose to abolish church-rates, and thus aggravate the evil he deprecates. Let them look, however, to what the machinery of the Bill provided, and what advantage or disadvantage would be given to people who came forward to subscribe or submitted to a voluntary assessment. Voluntary rates were not unknown. When the amended Poor Law first came into operation many of the rural parishes voluntarily levied rates upon themselves for the relief of the poor. Voluntary rates in that way became quite common, and there was no difficulty in the way of their working. No Act of Parliament was required to regulate these rates, and no trouble or complaint arose out of them: and people simply paid their proportion for the relief of the poor. But what had the right hon. Gentleman fastened upon this Bill? What did he do in order to induce people to become voluntary subscribers and assent to a voluntary assessment? He said that if any person did not pay after they had subscribed they should have the pleasure of going into the Court of Chancery. Was that a recommendation to induce persons to become subscribers, or would it not rather scare people from putting down their names to the subscription document; for every one of the subscribers must be made members to the suit. Was the example of the Nonconformists, who had occasionally suits in Chancery, an example or inducement to them to put their names to a paper by means of which, should they fail to pay, they might be involved in legal proceedings? Such a contingency would surely act rather as a preventive than an incentive to persons in the way of making them become subscribers. The right hon. Gentleman had stated no reason whatever why they would not be just as well able to accomplish what he desired as well without as with the machinery of an Act of Parliament, and surely if a man wished to subscribe he could give his money to a churchwarden or treasurer quite as well without this machinery as with it. The Court of Chancery in perspective would, as he had said, scare people. For himself, he would never put his name to a paper which might be the means of dragging him into the Court of Chancery, out of which he might never get in his life. That he conceived would also be the feeling of everyone throughout the country. The statement of the right hon. Gentleman was quite distinct—that the remedy would lie in the Court of Chancery. Only one prospect could have been more disagreeable, and that was the risk of being dragged into the Ecclesiastical Court. Of the two evils he did not know which would be worse; but for either to be dangled before a man's eyes, in the event of A or B not paying, would certainly prevent his putting his name on paper. He rejected this Bill in the first place, because it advocated total abolition; and in the second place, because if they were to achieve the end desired by voluntary means, every parish had sense enough to make its own arrangements, without the cumbrous machinery of an Act of Parliament to aid them. He should certainly vote against the second reading of the Bill.

Mr. GILPIN tendered his cordial thanks to the right hon. Member for South Lancashire for introducing the Bill. He (Mr. Gilpin) would support the measure in all its stages, in the hope that when it got into Committee the provisions of the sixth clause would be very considerably modified, if not altogether altered. He thought the right hon. Member for Oxfordshire was perfectly right when he said that members of the Church of England would be far more able and willing to subscribe for their own worship voluntarily than by means of compulsion. When subscriptions were made among dissenting bodies no such thing was known as the tipstaff, the constable, or the threat of Chancery proceedings, in order to compel the payment of money that had been voluntarily promised. He did not conceive that the object of getting rid of church rates was the paltry £230,000 a year, but it was to relieve all places that were now subject to them from a bone of contention, from the heartburning, and the bitterness which they occasioned. He acknowledged the readiness with which the right hon. Member for South Lancashire had met the views of many who went much farther than himself, and he would accept the Bill as a compromise between the two sides of the House. They had the acknowledgment of the right hon. Member for Oxfordshire that he would rather have a Bill for the total abolition of church rates. If hon. Gentlemen opposite were generally of that opinion, then, by all means, let the House again, by a large majority, sanction the Bill of his hon. Friend the Member for Bury.

Colonel BARTTELOT said, that no man had more consistently opposed the total abolition of church rates than himself, and he had long looked forward to the introduction of a measure which would have afforded a fair and equitable settlement. Many Bills had been introduced, which had been opposed by the Gentlemen opposite. He could, however, no longer disguise from himself that the time, if not quite ripe, had now nearly come when the House, in justice to itself and the country in general, should make an effort to have this question satisfactorily settled. Although he could not agree to all the provisions of the Bill of the right hon. Gentleman, he thought there was sufficient in it to enable him honestly to say that the Bill should be read a second time. Should that be done, when the measure went into Committee, both sides of the House, by mutual giving and taking, might so amend it as to settle a question which had distressed and agitated the minds of so many for a considerable time. He was sure that a great grievance would be removed by a settlement of this question, and that a great benefit would be conferred on the Church of England itself, to which he was firmly attached. That part of the question relating to rural parishes was very difficult, but it might be got over. He differed from his right hon. Friend the Member for Oxfordshire, because he believed the machinery of the present Bill was well known in the rural districts, and it would be easier to raise church rates by that machinery than if they were totally abolished. He hoped the House would read the Bill a second time, feeling convinced, from the conciliatory spirit which had been evinced by the right hon. Gentleman who introduced it, that they would be able to come to a practical solution of the question, advantageous to the Church as well as to the country.

Viscount CRANBORNE: The challenge which was delivered by the hon. Member for Northampton (Mr. Gilpin) imposes upon us who sit on this side of the House the duty of coming forward at an early period to declare our opinion upon this subject; because I understood him to say that he accepted this Bill as a compromise—generally accepted—rather than as being an exact representation of his own views upon the question. The right hon. Gentleman the Member for South Lancashire has adopted upon this Bill the tone which he adopted upon another and much greater question—namely, the tone of "All or nothing." I confess I feel myself wholly unable to follow the right hon. Gentlemen in that respect. I cannot banish from my mind—and I do not suppose that I ever shall be able to banish—the recollection that from the same hand an intermediate measure on another subject was offered to the House. That measure was rejected, and the consequence was that a very much larger measure was agreed to. For this reason I must look at this Bill not in the spirit of saying what it is that I should prefer absolutely, and resolving to stick by that and accept nothing else; but I must rather try to find out what is the best thing which, under the circumstances of the moment, I am likely to obtain for the Church to which I am attached, and to guide my course accordingly. If I could choose my course without regard to external influences, I should say that the Bill of the hon. Member for Buckingham (Mr. Hubbard) is the solution of the question I have always preferred; but, as I have said, we must look to the circumstances of the moment. I am distinctly of opinion that it is not true of this Bill that it is worse than total abolition. On the contrary, I think it is a great deal better, for it does offer certain advantages to the Church. The first and greatest is the preservation of the machinery under which church rates are collected. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) seemed inclined to deny that there was any advantage in that. It is not a hypothetical question. In numbers of parishes, and those the most populous, church rates are at this moment collected solely by the aid of similar machinery, without any aid from any legal assistance whatever. It therefore follows that if you apply to the whole country that which is voluntarily applied to a considerable number of parishes, you would have not perhaps exactly the same advantage that you now have, but a very considerable advantage over the state of things that would result from total abolition. The right hon. Gentleman went into an imaginary description of the horrors that would result from bringing the Court of Chancery upon the scene. Now the right hon. Gentleman, although possessed of many high qualities, has not hitherto been distinguished for the fervour of his imagination; but I must say that in the present instance he has exercised that faculty with the most unbridled license. Why, the only thing proposed to be done by this Bill is to put those who offer to subscribe for church rates upon the same footing as those who subscribe to the Propagation Society, the Church Missionary and other societies; and as to the remedies of the law, to allow them to stand upon exactly the same footing! The right hon. Gentleman says that the fear of the Court of Chancery would deter people from subscribing to church rates. I would ask him whether that fear diminishes the subscription lists of the great societies to which I have referred? The Bill says in so many words that the liabilities to be imposed shall be exactly the same as in the case of every other contract of the same kind. It is not an enactment clause; it is a clause disclaiming enactment or any change in the law. There is one other advantage in this Bill over total abolition which I approve of highly, and that is that those who subscribe money should have the spending of it. It is an elementary principle of justice that it should be so. In all the discussions which we have had upon church rates I have always thought that the other side have been hardly pressed by the argument that it was unjust that those who take no part in subscribing towards the fund should yet have the power of determining how it should be spent. This, then, I regard as a very considerable advantage, because under this Bill that will be obviated. Under these circumstances, weighing this Bill against the Bill for the total abolition, I am compelled to say that this is much the better of the two. Then I must ask myself the question, whether by resisting this Bill, or the Bill of the hon. Member for Bury (Mr. Hardcastle), I am likely to gain any advantage for the Church? What shall we gain if we adhere to the principle of "No surrender" upon the subject? That is the question, which you must answer by looking at it in the light of the circumstances of the time. You must look not only to the disposition of the nation out of doors, but at the course of events in this House, the principles upon which parties guide their movements, and the laws by which public men regulate their conduct; and looking to, and having regard to all these things, I am bound to say, taking the most impartial view I can upon the subject, I do not think the Church will gain anything by prolonging this contest. I do not conceal for a moment the reluctance with which I give up anything which the Church possesses; but I am bound to look to both sides of the question, and not to content myself with stolid opposition, and refuse to give way to that tendency by which it seems to me so many of us are apt to be affected, of pursuing for many years a steady obstruction, and then giving way to an unreasonable panic. I think, therefore, it is wiser to accept the terms now offered, because I am distinctly of opinion that we may go further and fare worse.

MR. NEWDEGATE said, that the right hon. Gentleman the Member for South Lancashire had used a most remarkable illustration in support of the Bill for the abolition of church rates, which was before the House. The right hon. Gentleman said that the abolition of the vestry-cess in Ireland had saved the Irish Establishment of the United Church, and inferred that the abolition of church rates would be equally salutary to the Church in England. But he (Mr. Newdegate) begged to ask the right hon. Gentleman whether he considered the position of the Church in Ireland safe at present? He would beg to refer the right hon. Gentleman to those who were urging him forward in his present course in seeking to abolish church rates unconditionally, whether they considered the Establishment of the Church in Ireland safe; every one knew that they would tell the right hon. Gentleman that the Establishment of the Church in Ireland was condemned, was tottering to its fall, and that they rejoiced in the prospect of its destruction. That was, indeed, a most pregnant illustration. Two Members had spoken who hitherto had been opposed to the principle of abolishing church rates, but who now of a sudden seemed determined to make a clean sweep of the whole matter, and that, too, without waiting for the intervention of that Reformed Parliament which, as was generally contended, would be able to deal more satisfactorily and in a more strictly national sense with such questions, as more directly representing the people. That Parliament could scarcely do more than was now proposed on this subject, even if so disposed, which he (Mr. Newdegate) very greatly doubted. They had been told that great Parliamentary changes should be made by the Reformed Parliament, and he could not see that they were justified in taking out of the hands of the Reformed Parliament these important Parliamentary functions. With his right hon. Friend the Member for Oxfordshire (Mr. Henley) he confessed he preferred the Bill of the hon. Member for Bury (Mr. Hardcastle) to this Bill, and he did so because that Bill would leave the vestries unimpaired—the representation of the inhabitants of each parish whole and efficient—to regulate the affairs and maintain the rubrics and services of their own respective parish churches. And it was notorious that not only had the Church of England to contend with the adversaries of the Establishment, and with the difficulties which had arisen from the objections of Dissenters, but she had to contend with the narrow spirit of ecclesiasticism and sacerdotalism within her own pale; and that was the reason why he looked with extreme suspicion upon every attempt to impair the power of the vestry, which, both by this Bill and by the Bill of the hon. Members for Stoke-upon-Trent and Buckingham, would be superseded by another organization for which provision was made by those measures. By this Bill they constituted out of the vestry what was called a voluntary association, and its organ was to be the churchwarden or any other person this *quasi* voluntary association might employ, and to that churchwarden or treasurer would be transferred the whole of the authority hitherto exercised by the inhabitants in vestry—namely, the authority affecting the internal and external management of the church, and all questions involved in the services of the church. Neither Dissenting bodies who managed their own chapels nor voluntary associations were armed with the powers by law which this Bill proposed to transfer year by year from the great body of the parishioners, represented by the vestry, to these voluntary associations. It was perfectly idle to blink the whole bearings of this question. Suppose a parish in which a certain number, perhaps a small number, of wealthy persons met, and they succeeded in carrying a very high rate of assessment. It might be said that there was no inducement so to do; but the inducement was a distinct inducement, as by thus taxing themselves they rendered it, under the provisions of this Bill, eminently improbable that the other parishioners would come in and pay as much; and if they did not pay as much the whole assessment, the administration of the fabric of the church would fall into the hands of a small and expensive minority. Total abolition he regarded as eminently unjust, because it would deprive the parishioners of a power which they had exercised for centuries upon centuries in having a voice in the application of the share in the property of the parish which they possessed for the maintenance of the fabric and the ministrations of the Church; and, as a layman, he would ever protest against the parishes being deprived of that property and that authority which they had by law possessed for centuries. His own Bill before the House provided a substitute for church rate, and claimed for the parishioners and the great body of the laity a portion of their ancient right. He regarded the present proposal as unjust, because it robbed the poorer even more than it robbed the wealthy laity of the Church of England; and the same charge was applicable to the Bill of the hon. Member for Bury. But this Bill not only deprived the laity of the Church of England — the poorer class of laity — of the property which had been their right for centuries, but a new body was substituted to supersede them in the management of the fabric of the church and of the services, and the House was invited to bring all the powers of the law, common and ecclesiastical, to bear upon the inhabitants, while transferring the power hitherto vested in them into the hands of a voluntary association, of which nothing was known in the various parishes. He agreed with his right hon. Friend the Member for Oxfordshire, that if it was the will of Parliament to deprive the laity and the poorer class of laity—the tenantry and small cottiers—of their legitimate right in the property of the parish for the purpose of maintaining the fabric of their church, at least they should be left in the control of their church according to law, when in vestry assembled ; the authority of officers whom they had elected for centuries should not be swept away, or the manner in which the services of their church should be conducted be prescribed by an alien body. At all events the laity, if they were placed in the position of Dissenters, ought not to be crippled or bound, further than at present, by provisions of the law.

MR. HARDCASTLE said, that from his connection with this subject for several years he might be expected to express an opinion upon it. When he first saw this Bill he had considerable doubt as to some of its provisions ; but he begged to tender his thanks to the right hon. Gentleman the Member for South Lancashire for the clearness with which he had explained away those doubts. On the principle of attachment to kindred it might be supposed that he preferred his own child to that of the right hon. Gentleman ; but under all the circumstances he felt it would ill become him to stand in the way of what seemed likely to be a settlement of this long-vexed question. The machinery of this Bill, which the right hon. Gentleman the Member for Oxfordshire complained of as cumbrous, was really the exact machinery which the right hon. Gentleman had been defending in connection with the existing church rates, and he could not see how it would become more cumbrous than it was now. Church rates would be collected from those only who were willing to pay. The returns on church rates were not quite accurate, because there were many parishes put down as paying church rates on compulsion which did not do so on compulsion at all. As to the Bill of the right hon. Gentleman, it only remained for him to express general satisfaction with it. It was not for him to presume to compliment the noble Lord the Member for Stamford (Viscount Cranborne) upon his short but remarkable speech; but he (Mr. Hardcastle) had never seen more clearly than in the speech of the noble Lord the distinction between the mere politician and the statesman. The noble Lord, up to this time, had consistently opposed the abolition of church rates, and he now supported a measure which virtually included that abolition, and the noble Lord did so from sentiments which he thought did not only his feelings but his understanding the highest honour.

MR. HUBBARD said, that it had been his desire that his own Bill should come before the House on the present occasion, but after comparing it with that of the right hon. Gentleman (Mr. Gladstone) he was unable to say that he could vote against the second reading. The two measures seemed to have been drawn under the same idea, although they varied in the course of procedure. His own motive was to relieve Dissenters from pecuniary liability, and to give them exemption in a manner the most simple and least inconvenient to Churchmen. The present Bill, no doubt, involved the subversion of a great system of rating which had existed from time immemorial, but the circumstances of the country had also changed. It was to be admitted that the ordinary mode of levying a rate was hardly compatible with the spirit of religious liberty, because it enforced upon all payment for an object which was common only to a few. There were only two courses to pursue—either to abolish church rates altogether, and unconditionally, or to adopt some mode of exempting from the payment of church rates those who felt themselves aggrieved by paying. His difference with his right hon. Friend was more in words than meaning. He could not get over his repugnance to the word "abolition" in the Bill, but if his right hon. Friend meant the abolition of compulsory payment of rates, and not the abolition of compulsory rates, they would be entirely at one. He could not agree with his right hon. Friend (Mr. Henley) that simple abolition would be an advantage over the present plan. He believed that if the machinery of the present Bill were properly and judiciously handled, church rates would be collected with almost the same certainty and success as in times past. His right hon. Friend was under a misapprehension in thinking that under the sixth clause suits in Chancery might be held *in terrorem* over the heads of subscribers to church rates. That clause was indispensable to the action of the Bill, because persons might enrol themselves as subscribers to the church rate and then refuse to pay. It was necessary that those who were to administer the fund should be able to rely on receiving the sums promised to them. He believed there would be very few cases in which the promises made would be falsified, but the obligation to pay ought to be maintained as a legal obligation. Last year the right hon. Gentleman's Bill had a clause incapacitating persons who did not subscribe to the rate from claiming, as a right, a seat in the parish church. He could not agree with that clause, and he was glad it was withdrawn from the present Bill. It would be unfortunate to perpetuate and intensify such differences. He was ready to say let the Bill be read a second time; but he trusted that the House would permit his own Bill to come under the consideration of the Committee when the present Bill arrived at that stage, believing, as he did, that there were some points in regard to the payment of rates in which his own Bill might be advantageously followed. He wished to add that, in his anxiety to see this question settled, he was by no means acting under the horror of a Reformed Parliament. He believed that if that Parliament could be trusted at all, it was upon this, which was essentially a poor man's question. The battle they were fighting was to have the churches open without fee and without payment to the labouring poor; and their dread was lest, by removing the obligation which had for so many years rested on property, they might be endangering the right of the poor to the free use of their churches. He should give his assent to the second reading, trusting to see some expressions in the Bill altered in Committee. He hoped the House would permit his own Bill to come under the consideration of the same Select Committee, believing, as he did, that there were some points of detail in which his Bill might be followed with advantage.

Mr. AYRTON said, it was very inconvenient that the debate should have gone on so long without some expression of the view taken of the Bill by Her Majesty's Government. Hon. Members opposite were rather unreasonable in dealing with the question. In former debates they protested against the abolition of church rates without some substitute being made in the shape of consequential provisions; but now that a Bill was brought in abolishing church rates, and making consequential provisions, hon. Members said they would prefer a Bill of total abolition. He thought that his right hon. Friend deserved the thanks of the House for the Bill he had introduced. He had, in the least objectionable manner, endeavoured to make the new arrangement harmonize as much as possible with those which already exist. It was a mistake to suppose that the Bill excluded the voluntary system; it gave power, on the contrary, to raise a voluntary rate or a voluntary subscription instead of a rate, and it provided machinery for administering the fund. The principle of the Bill was that when a man promised he should be made to pay, and this was only common honesty. Neither did he see any reason for fearing that it would land men in a Chancery suit, to subscribe or not, as they chose. There was one point to which he wished to call the attention of his right hon. Friend, and that was the necessity of taking precautions in Committee against the danger of wealthy persons getting the control of the parish church and introducing therein practices repugnant to the Protestant feeling of this country. He felt sure that nothing could be further from the intention of his right hon. Friend than to promote the diffusion of such practices; but there was a perverseness on the part of some clergymen which led them to take advantage of any opportunities presented to them of offending the religious convictions of the people. The effect in such cases was that the parishioners so offended did not care to take the matter into an ecclesiastical court, but simply left their parish church; and more was being done by clergymen to undermine the Established Church than by all the Dissenting communities, who often, indeed, in their chapels, provided Churchmen with those means of participating in a real Protestant worship which were now denied them in their own parish churches. It was a grave reflection upon Churchmen that their ministers were not able to obtain from the spontaneous offerings of their congregations the means of carrying on the ministrations of the Church. What could be more anomalous than the fact that £6,000,000 sterling were annually spent in intoxicating drinks, while ministers of the Church were unable to obtain, without compulsory church rates, the means of performing the sacraments of the Church. He thought the Bill ought to be read a second time.

MR. GATHORNE HARDY : Sir, the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) has called upon some Member of the Government to express an opinion on this Bill ; and I certainly did not mean to allow this debate, at the whole of which I have been present, to close without expressing the opinion, I will not say of the Government, but my own opinion, and also that of my Colleagues who are here—although I am bound to say that I have not gone into special consultation with them on the subject—upon the provisions of this measure. The right hon. Gentleman who has introduced the Bill has introduced it in a tone which has been acknowledged, as well from this side of the House as from his own, as well calculated to bring together those who are anxious to come to some compromise on this question. With respect to my own position on this subject, I may say that I have steadily and consistently voted against the abolition of church rates whenever proposed in the bare form in which it has been brought forward by the hon. Member for Bury (Mr. Hardcastle) and others ; and I always should vote against a Bill assuming that shape. The part which was taken on this subject by my right hon. Friend who preceded me at the Home Office (Mr. Walpole) in 1859 was to produce a Bill similar to that advocated by the hon. Member for Buckingham (Mr. Hubbard)—that is to say, one giving Dissenters, or anybody else who claimed it, exemption from church rates by putting the negative duty of objecting upon the Dissenters or others who should claim such exemption, whereas, in the present Bill, as I understand it, a change is made which is recognized by the hon. Member for Buckingham—namely, that the positive duty of coming forward as Churchman is put upon Churchmen, instead of leaving the Dissenters or objectors to come forward and deny their liability to church rates. As I understand this Bill, whoever joins in the poll, whether in the majority or the minority, is to have signed his name to a declaration that he will be bound by the decision of the majority, and that, if it is so decided, he will pay the amount of his assessment or an equivalent voluntary contribution. I am bound to say that in my opinion, with respect to a great number of the parishes of this country, this Bill, if passed, would never come into operation. The fact is, that there are not those meetings which are supposed by this measure to exist. In the majority of the parishes where church rates are regularly collected, I believe that none but the Churchwardens go to the vestry and levy the rate, because nobody else thinks it worth his while to go there, and there is not a division upon the question. I have always thought that the outcry raised against church rates was an exaggerated one ; that where those rates are felt to be a grievance they cease by resolution of the vestry itself; and that in other cases they are collected without any of that bitterness of feeling and those heartburnings which the hon. Member for Northampton (Mr. Gilpin), in the vividness of his imagination, has conjured up. I think that those discussions which take place in London as to what occurs in the country are founded on very isolated cases, and not upon the general run of church rate levies throughout the kingdom. In my opinion, if this Bill arrives at the Committee, it will be found that a necessity exists—both in the sense indicated by the hon. and learned Member for the Tower Hamlets, and also in that expressed by some hon. Gentlemen on this side of the House—for re-considering its clauses in many respects. We are likewise entitled to ask that the right hon. Gentleman, if we allow the Bill to be read the second time and to get into Committee, shall fix the Committee upon it for a day subsequent to the discussion upon the other Church Rate Bills now on the Paper, so that there may be a full consideration of the whole question raised by these measures. [Mr. GLADSTONE nodded assent.] I am ready to grant a second reading to the Bill on such an understanding. I assented to the Bill of my right hon. Friend (Mr. Walpole) in 1859, and was, in fact, a Member of the Government by which it was brought in. This measure involves a question of changing the position of the parties—that is, it makes the Churchman come forward affirmatively, and then puts the compulsion upon him, instead of requiring the Dissenter to come forward and negative his liability, and thus obtain exemption. I still adhere to my opinion that church rates are not a grievance to the country ; that they might still be levied by resolution of the vestry without being such a grievance ; and in assenting to the second reading of this Bill, with a view to a settlement, if practicable, I retain that opinion, and should be ready to pronounce it if occasion arose.

Mr. SCOURFIELD quite agreed with what had fallen from the noble Lord the Member for Stamford (Viscount Cranborne) in regard to the maxim of "All or nothing." He thought it extremely desirable that some organization should exist by which the means of effecting the annual average repairs required by parish churches would be provided. However well the voluntary principle worked in certain cases, it was not uniformly applicable. It often happened that a church was neglected and allowed to fall into serious decay, rather than ask the people for the requisite sums to keep it wind and water-tight. Then when the building was in ruins, a large amount had to be all at once raised by the new system of bazaars combined with the old system of "boring" people for subscriptions, which would never have been needed if the common repairs had been made from time to time. A moderate application of the principle of pew-rents, while retaining a sufficient number of free sittings, might, he thought, help the solution of that question. He thought some of the claims of the Dissenters were reasonable, and others unreasonable. He was opposed to the total abolition of church rates without any substitute whatever; but he did not share the alarm which the right hon. Member for Oxfordshire had expressed as to "Chancery suits." If the only alternative presented to him was total abolition, or the Bill now before the House, he should prefer to vote for the latter.

Sir MICHAEL HICKS-BEACH said, he wished to express his satisfaction at the manner in which this Bill had been introduced by the right hon. Gentleman, and he thought the Bill might lead to a very satisfactory compromise. He was also glad that the Government had acceded to the second reading of the Bill. The subject had been for too many years under discussion; a number of Bills had been brought in with the view of arriving at a settlement of the question, and he thought it had better not be left to the tender mercies of the reformed Parliament. The power of the present law was exercised in very few cases indeed. He knew the case of a parish where the church was restored, the services during the time of restoration being conducted in one of the public buildings in town. The expense was provided for by a weekly offertory, which was found to work so well, that when the parish church was completed, the practice was continued, and from this source a sum was obtained which was likely to amount to £150 a year. This plan might become applicable to town parishes; but with respect to rural parishes the case seemed to be very different, for there it would be found that church rates had been collected for centuries, and that no one had refused to pay them. He thought this Bill might operate so as to cause hardship in the case of certain of the parochial clergy, upon whom the burden of the repairs would fall if funds were not otherwise provided. He should be glad if, in such cases, there could be a relaxation of the law of mortmain, or if a remedy could be applied by applying the provisions of the Lands Improvement Act to the Church. One or two other additional provisions might be introduced. It would be well to provide that the incumbent should have the right to nominate one churchwarden. He should be glad to see the House go into Committee on this Bill. He hoped the result would be a settlement of the question, which he was sure would render the Church stronger.

Mr. P. A. TAYLOR agreed with every word contained in the straightforward speech of the noble Lord the Member for Stamford (Viscount Cranborne), and with the eulogy passed upon the noble Lord by the hon. Member for Bury, just because it kept in view the main object of the noble Lord, without too closely questioning what, under other circumstances, he would prefer. What were the objects the noble Lord desired to obtain? They were to postpone as far as possible the time when there would be a separation of Church and State, to uphold the supremacy of one class over another, and keep up the machinery of coercion after the time for using it had passed away. However, he (Mr. Taylor) desired that the separation of Church and State should take place, and he hoped the Bill of the right hon. Gentleman would not pass, but that the matter would be relegated to a Reformed Parliament. He should vote against the Bill on the ground that he believed that the Church would "go further and fare worse."

Mr. WALDEGRAVE-LESLIE said, that, taking as he did a great interest in the question, and having for the last two years proposed clauses much resembling those contained in this Bill, he felt gratified at the course the present debate had taken. He thought that the Bill was likely to prove a useful measure by extinguishing sources of discord; though he might wish for one more extensive in scope. He trusted that the clergy would not be misled by the views of the right hon. Member for Oxfordshire, or be influenced by the chimera he had conjured up in regard to the Court of Chancery. In all those parishes which were blessed with a faithful ministry the clergy would, he believed, find themselves effectually supported under the provisions of that Bill. He felt sure the Bill of the right hon. Gentleman would work satisfactorily.

MR. WALROND was rejoiced to find that the Government would not assist those hon. Members who had spoken against that Bill in pressing for a division upon its second reading. No charge upon property could carry with it a stronger prescriptive claim than church rates; but there was a time, when yielding to the conscientious convictions of one's opponent was a wise policy, and he thought that time had now arrived in regard to that question, and he trusted, from the general tone and the temper of the House, that no serious opposition would be offered to the passing of that measure. He believed that both Nonconformists and Churchmen had many objects of social importance in which they felt a common interest, but upon which they could not act well together if the bar which at present existed were allowed to continue between the two bodies. If it were removed, they might then have that united harmony of action which would be of so much advantage to the country. Under these circumstances, he cordially wished success to the measure of the right hon. Member for South Lancashire.

MR. SERJEANT GASELEE was of opinion that they ought to get rid of church rates altogether, regretted that that Bill had met with so much sanction on both sides of the House. For the very reason which induced the noble Lord the Member for Stamford (Viscount Cranborne) to agree to the measure, he was inclined to disagree with it. He wanted the total abolition of church rates; and believed that if the pressure hitherto applied to hon. Gentlemen opposite for that object had been vigorously continued, hon. Gentlemen opposite would have yielded on that question in as graceful a manner as they had done in regard to Parliamentary Reform; but when the Leaders on both sides united, as they frequently did, to oppose all progress and all that was good, independent Members like himself were, of course, obliged to give way.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday,* 11th March.

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

(*The Earl of Mayo, Mr. Secretary Gathorne Hardy, Mr. Attorney General.*)

[BILL 28.] THIRD READING.

Order for Third Reading read.

Motion made and Question proposed, "That the Bill be now read the third time."

MR. MAGUIRE said, that the statement he made on the previous evening in reference to the case of the prisoner Matthew Lynch, who died in Mountjoy prison, was founded upon the information of a citizen of Dublin who had sent him a copy of the *Freeman's Journal* containing a communication on the subject. He hoped that the case would receive proper attention, and that the Government would place on the table of the House the notes of the Coroner, and also the report of Mr. Macfarlane, the Government Inspector of prisons, who was present at the inquest. He begged to explain that he had no charge to make against the Government in reference to the matter; and that his object in calling the attention of the Chief Secretary for Ireland—than whom there could not be a more humane and honourable man—to it, was that no sanction should be given to negligence or cruelty to a prisoner on the part of a Government officer.

MR. GATHORNE HARDY said, his noble Friend the Chief Secretary for Ireland, who was absent from the House, had already written to Dublin on the subject; all the information he possessed in regard to it being that obtained from the newspapers; and, no doubt, when he received a reply, he would communicate with the hon. Gentleman.

Motion *agreed to;* Bill read the third time, and *passed.*

ARMY—WOODEN HUTS FOR TROOPS.

MOTION FOR AN ADDRESS.

COLONEL FRENCH said, he rose to move for an Address for a Copy of all Correspondence between Government and the Medical Men or Officers in the command of Regiments stationed at Aldershot, Shorncliffe, and Colchester, as to the impolicy and hardship of keeping in Wooden Huts during this severe winter old rheumatic soldiers from hot climates and young recruits. These huts were neither air-tight nor water-tight, and he had it from an officer that he woke one morning and found his head covered with snow. During the winter the men suffered very severely. The Secretary for War had not only promised that the subject should receive immediate consideration, but had led them to believe that the men should not remain in the huts during the winter; but they had been completely disappointed, and if the Government did not redress the evil, he should feel it his duty to bring the subject before the House.

Sir HARRY VERNEY thought this was one of those evils which tended to make the service unpopular, and hoped that, in the event of the Secretary for War not dispensing with the use of the huts in the winter, the hon. and gallant Member would persevere in taking the sense of the House upon the question.

Motion *agreed to.*

Address for "Copy of all Correspondence between Government and the Medical Men or Officers in the command of Regiments stationed at Aldershot, Shorncliffe, and Colchester, as to the impolicy and hardship of keeping in Wooden Huts, during this severe winter, old rheumatic soldiers from hot climates and young recruits."—(*Colonel French.*)

PARLIAMENT—ARRANGEMENTS OF THE HOUSE.

MOTION FOR A SELECT COMMITTEE.

Mr. HEADLAM said, he rose to move for the appointment of a Select Committee to consider whether any alteration could be made in the arrangements of the House, so as to enable a greater number of Members to hear and take part in the proceedings. The House would recollect that the Committee appointed last year to consider that subject took a certain amount of evidence and had certain plans laid before them; but, in consequence of the lateness of the Session and the difficulties of the question, they found it impossible to come to any definite report. They accordingly unanimously agreed only to report the evidence, and to recommend that the Committee should be re-appointed. In pursuance of that recommendation he made the present Motion, and he proposed that the instructions to the Committee should be the same as those of last Session.

Colonel French

Colonel FRENCH said, that the Motion now made by his right hon. Friend was somewhat different from the Notice he had placed upon the Paper. He (Colonel French) hoped the Committee would not confine their inquiries to the House itself, but that they would take into consideration the expediency of making alterations in the refreshment department and other parts of the building, with the view to their improvement, and the greater convenience of hon. Members.

Mr. HEADLAM said, that the Instruction to the Committee was to consider the arrangements of the several rooms and offices of the House.

Viscount CRANBORNE said, that there was a danger in heaping too much work upon the shoulders of the Committee. It appeared to him to be far better to appoint two separate Committees to investigate all the matters referred to by the hon. and gallant Gentleman. He was sure that the experience of everybody proved that, when Committees were overloaded with subjects, they never arrived at satisfactory decisions.

Lord JOHN MANNERS said, that if two such Committees were appointed they might come to conclusions with respect to the alterations to be made in the building which would be entirely at variance. He was, besides, of opinion that the Committee, for the re-appointment of which the right hon. Gentleman opposite moved, would have no difficulty in dealing with improvements of the kind suggested by the hon. and gallant Gentleman.

Motion *agreed to.*

Select Committee *appointed,* "to consider whether any alteration can be made in the arrangements of the House of Commons, so as to enable a greater number of Members to hear and take part in the proceedings; and to consider the arrangement of the several rooms and offices attached to the House, and the means of access to the same, with a view to the greater convenience of Members in the discharge of their duties, and how better accommodation can be provided within the precincts of the House for the transaction of Departmental Business, during the Sittings of the House, by Members holding Offices in the Government."—(*Mr. Headlam.*)

And, on March 6, Committee *nominated* as follows:—Mr. Headlam, Lord John Manners, Mr. William Cowper, Mr. Tite, Mr. Bazley, Viscount Cranborne, Mr. Hankey, Sir Frederick Heygate, Lord Elcho, Mr. Cardwell, Mr. Baillie Cochrane, Mr. Darby Griffith, Mr. John Bright, Sir Charles Lanyon, and Mr. Beresford Hope:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at Four o'clock.

HOUSE OF LORDS,

Thursday, February 20, 1868.

MINUTES.]—Select Committee—On Promissory Oaths *nominated.*

Public Bills—*First Reading*—Habeas Corpus Suspension (Ireland) Act Continuance* (18).

Third Reading—East London Museum Site* (12), and *passed.*

INDIA.—QUESTION.

The Duke of ARGYLL said, it appeared from discussions in the public press that Her Majesty's Government were in possession of the answers which were given by various civil and military officers to certain questions put by Sir John Lawrence in respect to the popularity of our Government in India. As those answers were of great interest, it was desirable that they should be communicated to Parliament. He had no doubt that the Government would not object to the production of those answers.

The Earl of MALMESBURY said, as no notice had been given of the Question of the noble Duke he could not yet give an answer; but he did not think there would be any objection to lay the papers on the table.

House adjourned at a quarter-past Five o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, February 20, 1868.

MINUTES.]—Select Committee—On Controverted Elections, Chairmen's Panel *appointed;* on Shannon River *appointed;* on Metropolitan Foreign Cattle Market, Mr. Locke and Mr. Corrance *added.*

Public Bills—*Ordered*—Ecclesiastical Titles; Capital Punishment within Prisons; Lee River Conservancy; Railways (Extension of Time); Sunday Trading (Metropolis)*; Metropolis Subways.*

First Reading—Capital Punishment within Prisons [36]; Ecclesiastical Titles [37]; Lee River Conservancy [38]; Railways (Extension of Time) [39]; Sunday Trading (Metropolis)* [40]; Metropolis Subways* [41].

ARMY—APPOINTMENT OF SIR HENRY STORKS.—QUESTION.

Mr. OTWAY said, he would beg to ask the Secretary of State for War, Whether Sir Henry Storks has been appointed to an office under the Secretary of State for War; and, if so, whether he will state the nature of that office and the salary attached to it. He would further beg to ask the right hon. Baronet to state whether this office was an entirely new creation; and what is the position of the new officer with regard to the other heads of Departments under the Secretary of State for War; and what is his controlling power?

Sir JOHN PAKINGTON: Sir, it is quite true that Sir Henry Storks has accepted an office under the Secretary of State for War. Sir Henry Storks will be placed at the head of a new branch of the War Office, to be called "The Control Department;" and his title will be "The Controller-in-Chief," with the rank and position of an Under Secretary of State. The salary of Sir Henry Storks is fixed at £2,000 a year.

FOREIGN OFFICE AGENCIES.

QUESTION.

Mr. BAYLEY POTTER said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has any objection to give a Return of the names of the Persons for whom the Clerks in the Foreign Office now act as agents, or have so acted at any time during the last five years; of the emoluments which such Clerks have individually received for such agency during the last five years, and the amount received by them from each Person; and whether there is any truth in the statement which has appeared in the public press that the agencies in the Foreign Office are to be abolished?

Lord STANLEY: Sir, I have no objection to give a Return of the names of those persons for whom Clerks in the Foreign Office now act, or for the last five years have acted, as agents. With regard to the emoluments, I am prepared to give the aggregate annual amount received by each agent, as that may become a matter of public interest should any question of compensation arise. I do not think it would be fair to give the amount contributed by each individual, as that is purely a matter of a voluntary and private character, no Diplomatic or Consular officer being required to appoint an agent. With reference to the last part of the Question of the hon. Member, I have to say that the question of the abolition of these agencies is under consideration.

INDIA—BANK OF BOMBAY.

QUESTION.

Mr. DYCE NICOL said, he would beg to ask the Secretary of State for India, Whether the Bombay Government has been authorized to take shares in, and resume a connection with, a new Bank similar to that existing with the institution now being wound up under Act 19 of 1857 of Legislative Council of India; whether, as stated in a recent Memorial of Shareholders, £2,000,000 had been lost of the original capital of £2,090,000 of that establishment; and if he will lay before the House the whole of the Correspondence connected with the liquidation of the old and the reconstruction of the new Bank of Bombay?

Sir STAFFORD NORTHCOTE: It is the case, Sir, that the Bombay Government has been authorized to take shares in the new Bank of Bombay, and to resume a Government connection with it. The connection is not to be precisely the same as that which existed with the previous Bank; because I believe it will be more convenient to appoint a Government Inspector with sufficient powers than to have Government Directors. But that is a point still under consideration. With regard to the amount of loss of capital, I am not able to say exactly whether the statement to which the hon. Gentleman refers is accurate or not. The Memorial of which he speaks is, I suppose, the Memorial still in preparation, which has not yet been sent to the India Office. I suppose a very large amount of capital has been lost, but the extent of it I am not able to give. With regard to the Correspondence, I shall be prepared to lay it before the House.

UNITED STATES—POSTAL TREATY.

QUESTION.

Mr. BAXTER said, he wished to ask the Secretary to the Treasury, If it is true that the Government has already given notice to the Government of the United States to terminate the Postal Treaty between the two countries, which has only been in operation a few weeks; and if so, what are the reasons for adopting so unusual a course?

Mr. HUNT: Sir, when the Post Office authorities began to bring the Convention into operation it was found to require revision upon certain points. In order to put himself into a position to negotiate such a revision, the Postmaster General found it necessary to give notice to terminate the Convention. Correspondence is now going on between the British Post Office and that of the United States with a view to an improved Convention.

SCOTLAND—JUDICIAL STATISTICS.

QUESTION.

Sir EDWARD COLEBROOK said, he wished to ask the Lord Advocate, Whether the Government are preparing to take steps for the annual compilation of Judicial Statistics for Scotland?

The LORD ADVOCATE said, in reply, that the Government fully recognized the importance of having a more comprehensive and minute system of Judicial Statistics than had hitherto been obtained, and steps had been taken for that purpose. He was about to introduce very shortly a Bill containing some clauses to impose on the officers of the Courts the duty of making such Returns.

BANKRUPTCY BILL.—QUESTION.

Mr. MOFFATT said, he wished to ask Mr. Attorney General, When he intends to bring in the Bankruptcy Bill?

The ATTORNEY GENERAL: I am not, Sir, in a position to name the day, but it will be introduced, I believe, in the other House of Parliament in the course of a very short time.

ABYSSINIAN EXPEDITION.

QUESTION.

Mr. WHALLEY said, he would beg to ask Mr. Chancellor of the Exchequer, with reference to the Abyssinian Expedition, Whether the Estimate of the probable expenditure, presented to the House in November last, when the Expedition was sanctioned, is likely to be exceeded; and if so, whether he is prepared to state to what extent, and what are the circumstances which account for the same?

The CHANCELLOR of the EXCHEQUER: Sir, I have no reason to believe that the Estimates for the Abyssinian Expedition have been exceeded.

Mr. DARBY GRIFFITH said, he wished to ask Mr. Chancellor of the Exchequer, in reference to his statement that he had no reason to believe that the Estimates of the Abyssinian Expedition had been exceeded, Whether this referred to the sum of £2,000,000, which was the amount at which they had been placed according to the popular impression, or to the sum of £4,000,000, which the right hon. Gentleman had himself specified as that to which they might probably reach ?

THE CHANCELLOR OF THE EXCHEQUER: I thought, Sir, my previous answer to the hon. Gentleman opposite was sufficiently explicit. I can only say to my hon. Friend that I have no reason whatever to believe that the general Estimate I put before the House has been exceeded.

MURDER LAW AMENDMENT BILL.

QUESTION.

MR. EWART said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of the Government to re-introduce the Murder Law Amendment Bill, introduced by them in the last Session of Parliament, or any similar Bill ?

MR. GATHORNE HARDY: I am not, Sir, at present prepared to say whether I shall be able to introduce a Bill. The difficulties of the subject are very great, and each successive Bill that is introduced creates new difficulties. With respect to the latter part of the measure of last year relating to Infanticide, of the hon. Gentleman, I certainly think it would be desirable to introduce a similar Bill, but I cannot at present say positively.

EAST INDIA CANAL COMPANY.

QUESTION.

MR. SMOLLETT said, he would beg to ask the Secretary of State for India, If, having failed to obtain the consent of the East India Canal Company for the sale of their stock at par, he has agreed to advance them money, and on what terms ?

SIR STAFFORD NORTHCOTE: I must explain, Sir, that the East India Canal Company has two undertakings, which are distinct—the one in Orissa, on which they have already expended a large sum of money, and the other in Behar, on which they have laid out little or nothing. The proposal made on the part of the Government of India was that the Company should part with both those undertakings. I have now to say that, if they are willing to part with the Behar undertaking, the Council of India would be prepared to make them an advance for the purpose of enabling them to complete their works, or such portion of them as might be agreed on. They have not as yet entered upon the terms of that advance. I have received a communication from the Company this day, which places the arrangement with regard to Behar beyond any doubt, and I hope to-morrow to be able to settle with the Council of India the terms upon which they will be prepared to arrange the offer of a loan.

MR. OTWAY said, he would beg to ask the Secretary of State for India, Whether he proposes to make the advance to this Company—the amount being, as he understood, nearly £1,000,000 — without the sanction of Parliament ?

SIR STAFFORD NORTHCOTE: I do not know on what authority the hon. Gentleman has stated the sum to be nearly £1,000,000. I believe it will probably be necessary for the Company to apply to Parliament for further powers, as their borrowing powers might not be sufficiently extensive ; but, as far as the revenues of India are concerned, the sanction of Parliament is not required.

COLONEL SYKES said, he wished to know whether the right hon. Gentleman referred to Orissa or Behar.

SIR STAFFORD NORTHCOTE: I referred to Orissa. The expenditure in Behar would be very small.

ARMY—TENDERS FOR CLOTHING.

QUESTION.

MR. C. EDWARDS said, he would beg to ask the Secretary of State for War, Whether it is his intention, with reference to the Contracts now about to be made for Army Clothing, to require that public tender shall be invited for the supply of each article ; and, whether he will state when the invitations for such tenders will be issued ?

SIR JOHN PAKINGTON: It is intended, Sir, to obtain a certain proportion of all the Army Clothing by contract, in order that they may be enabled to compare the cost of the clothing made in the factory, with that made by contract. Invitations for public tenders will very shortly be issued.

PLYMOUTH BREAKWATER FORT.

QUESTION.

MR. O'BEIRNE said, he would beg to ask the Secretary of War, as he has informed the House that the experiments ordered to test the principles upon which the Plymouth Breakwater Fort is now being constructed are not to be under the control of the Committee appointed to superintend the trials of the Malta and Gibraltar Shields, Whether he will state under whose supervision the proposed experiments were to be conducted, and by whom the results are to be reported to the House?

SIR JOHN PAKINGTON: I should be very sorry, Sir, if it was to be inferred from the answer I gave on a former evening, that I entertained the slightest objection to refer the trial of the Plymouth Breakwater Fort to the same Committee that had conducted the investigation into the merits of the Malta and Gibraltar Shields. On the contrary, I have the greatest confidence in that Committee, and should be very glad to intrust to them any further inquiry. But at the head of that Committee is my hon. and gallant Friend (Sir John Hay) one of the Lords of the Admiralty, and it would not be consistent with his duties at present to engage in a protracted inquiry. I shall, therefore, be obliged to appoint another Committee. Things will not be ready for the trial for a month or six weeks, and, therefore, I am not prepared to say at this moment to what Committee I shall intrust the conduct of the experiments. I intend, however, to confide the superintendence of the trials to some fully competent body.

ARMY—FEVER IN THE MAURITIUS.

QUESTION.

MR. WHALLEY said, he would beg to ask the Secretary of State for War, Whether it is the fact that the 86th Regiment, having been detained on its way to the Mauritius at Algoa Bay, owing to the prevalence of fever in that island, was ordered on with instructions not to land unless the fever had abated; that on its arrival there in Her Majesty's ship *Tamar* on the 27th of December last the authorities of the island met and decided that the fever being then on the increase the regiment ought not to be landed; that the regiment was landed on the 28th of December, and that fever is now spreading amongst the troops; what are the circumstances that justify the landing of the said Regiment at the Mauritius, or that demand the presence of European troops in that island during the prevalence of fever there; and, whether it is the fact that by reason of this fever, of two companies of Engineers lately stationed there, but sixty men remained, and of the entire force of Artillery but 100, and that the 13th Regiment also suffered most severely from the same cause?

SIR JOHN PAKINGTON: I must beg the hon. Gentleman to do me the favour to repeat the Question to-morrow. Information of this kind does not come in the first instance to the War Office. I should be sorry to give an imperfect answer to a Question upon circumstances which I fear are of a very serious and painful nature.

MR. WHALLEY said, he would repeat his Question to-morrow.

THE ARMY ESTIMATES.—QUESTION.

In reply to Captain VIVIAN,

SIR JOHN PAKINGTON said, I have already laid the Army Estimates on the table, and I expect they will be in the hands of Members probably not later than Monday next. When, however, I shall be enabled to submit them to the House depends upon the course of public business.

ECCLESIASTICAL TITLES BILL.

LEAVE. FIRST READING.

MR. MAC EVOY asked leave to introduce a Bill to repeal the Act of 14 & 15 *Vict.*, c. 60, intituled "An Act to prevent the Assumption of certain Ecclesiastical Titles in respect of places in the United Kingdom," and of Section 24 of 10 *Geo.* IV., c. 7. It would be in the recollection of the House that the subject was discussed several times last Session, and a Select Committee was appointed to inquire into the operation of the Acts referred to in his Motion. The Committee sat a considerable time, and heard a great deal of evidence in support of the object which he had now the honour to bring before the House. He believed it was the wish of the House that there should not be a lengthy discussion on this matter; and he would, therefore, simply ask leave to bring in a Bill to repeal those Acts which had been recommended to be repealed by the Committee to which he had referred.

MR. GREVILLE-NUGENT seconded the Motion.

MR. VANCE said, the hon. Member for Meath had forgotten to state that the Report of the Committee upon which his Bill was founded was only carried by a majority of 1, that majority being caused by the absence of the hon. Member for the University of Dublin, then Attorney General for Ireland, and now Vice Chancellor of Ireland (Mr. Chatterton), who was absent from the Committee on official duty in Ireland. He did not now mean to oppose the Bill; but he should certainly give it every opposition in his power on the second reading.

MR. NEWDEGATE said, that having last Session called attention to the proceedings and the Report of the Select Committee, it was not his intention now to enter into the subject again. A draft Report had been proposed by the representative of the Government in the Committee (Mr. Walpole), in opposition to the Report upon which the House was now asked to act, and that draft Report was only rejected by the vote of the Chairman, the hon. Member for Meath. Remembering that, and seeing that the object of the Bill was the formal and legal establishment of the Roman Catholic Church in Ireland, with all the privileges claimed by that Church, and with all the appurtenances of temporal power which that Church asserted; and seeing that the proposal involved a very serious change in the Constitution of the United Kingdom—seeing that it aimed at that which he believed to be a direct invasion of the Prerogatives of the Crown—he wished to ask Her Majesty's Government—and he hoped the Home Secretary would give him an answer—whether it was their intention to support the Bill in its future stages? He asked this question because he knew that in England, in Scotland, and in the North of Ireland there was a very strong feeling that no such invasion of the Constitution of the country ought to be sanctioned by Parliament. The concurrence of Her Majesty's Government in that view might reasonably have been taken for granted after what occurred upon the Select Committee last year; but circumstances had lately arisen which rendered it exceedingly dubious as to what might be their course on any important subject of this kind, and he therefore should feel obliged if the Home Secretary, or any Member of Her Majesty's Government, would inform the House whether it was the intention of the Government to support the Bill on its second reading and on its future stages?

MR. GATHORNE HARDY said, he could not say what course the Government would pursue in regard to the Bill until it had been laid on the table, and they had an opportunity of judging as to its proposals. At present he should not offer any objection to the introduction of the Bill.

MR. GREGORY said, he wished to correct a misapprehension in the mind of the hon. Gentleman the Member for Armagh (Mr. Vance), who supposed that the decision of the Committee was arrived at by reason of the absence of the hon. Member the Attorney General for Ireland; the fact being that the majority would have been larger but for the absence of the hon. and learned Member for Exeter, so that the majority in favour of the Report was not accidental.

MR. VANCE said, he believed that the hon. and learned Member for Exeter was not present during any part of the Committee's proceedings, and could not therefore have voted. The fact was, that the Report of the Committee was carried by the casting vote of the Chairman.

MR. SCHREIBER said, that the fact was, that the Report was carried by a majority of 1, by reason of the absence of the hon. Member for Whitehaven.

Motion *agreed to.*

Bill to repeal the Act of the fourteenth and fifteenth Victoria, chapter sixty, intituled, "An Act to prevent the Assumption of certain Ecclesiastical Titles in respect of Places in the United Kingdom," and of Section Twenty-four of the Act of the tenth George the Fourth, chapter seven, *ordered* to be brought in by Mr. MACEVOY, Sir JOSEPH M'KENNA, and Mr. LEADER.

Bill *presented,* and read the first time. [Bill 37.]

IRELAND—SHANNON RIVER.

MOTION FOR A SELECT COMMITTEE.

COLONEL FRENCH moved for a Select Committee to inquire into the manner in which the drainage and navigation of the River Shannon has been carried out under the direction of Her Majesty's Government, and what steps should be taken to complete the work for which a compulsory levy of £300,000 has been made on the adjoining counties? One Member, who was already in office, had written to him to say that it would be impossible for him to give the necessary consideration to the question.

MR. HUNT said, as he had only just learned that his hon. Friend the Vice President of the Board of Trade would not be able to serve on the Committee, he (Mr. Hunt) would suggest that the hon. Member should propose another name.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the manner in which the drainage and navigation of the River Shannon has been carried out under the direction of Her Majesty's Government, and what steps should be taken to complete the work for which a compulsory levy of £300,000 has been made on the adjoining counties."—(*Colonel French.*)

And, on March 17, Committee *nominated* as follows:—Colonel French, Mr. William Ormsby Gore, Sir Edward Dering, Mr. Acland, Mr. Gregory, Mr. Sclater-Booth, General Dunne, Mr. Laird, Mr. Agar-Ellis, Colonel Vandeleur, Mr. Bonham-Carter, Mr. Pollard-Urquhart, and Sir Graham Montgomery:—Power to send for persons, papers, and records; Five to be the quorum.

CAPITAL PUNISHMENT WITHIN PRISONS BILL.

LEAVE. FIRST READING.

Mr. GATHORNE HARDY, in moving for leave to bring in a Bill for carrying out Capital Punishment within Prisons, said, it was not necessary to make any lengthened statement; but that he ought to apologize to the hon. Member for Oldham (Mr. Hibbert) for taking out of his hands a subject with which on former occasions that hon. Gentleman had dealt with great credit to himself. There was no doubt the hon. Gentleman would not resent the intrusion, but give his support to the Bill, which was just the same as that introduced last year. He might perhaps say with reference to the subject adverted to by the hon. Member opposite who had sat on the Commission, that he was as anxious as the hon. Member himself, to legislate on the law of murder; but the greatest difficulty had arisen amongst lawyers as to what was a sufficient definition in order to carry out the recommendations of the Commission; therefore he had confined himself at present to bringing in a Bill which had hitherto not been fully discussed, but probably it would be better to take the discussion on the second reading. As the Bill had been printed before, in the same form, he trusted the House would allow it to be introduced.

Mr. DARBY GRIFFITH said, he thought that Commissions on Capital Punishment had raised questions of great importance, and he feared these Commissions were likely to supersede the action of the House. This was a matter on which mankind at large had an instinctive feeling, and he thought they should take heed that in carrying out capital punishment in a private manner they did not suggest to criminals the way in which to commit crimes.

Mr. HIBBERT said, he begged to thank his right hon. Friend for again bringing forward this Bill, and he hoped he would press for a second reading at an early day. He did not think it was at all necessary that the Bill should be discussed at this stage. The Bill had been before the country for the last two years, and had recently been discussed in the House of Lords, when it was passed by a large majority. He had met with no opinion in the country against the Bill; therefore, he hoped discussion would be postponed to the second reading.

Mr. BAZLEY said, that he had given notice last Session, that when this Bill was brought forward he should move that it be read that day six months, and he was still of the same opinion with respect to the Bill. There were some philanthropists whom no experience could alter; but he thought, after the past year and the executions at Manchester, some change might have taken place in their opinions. This would not be the place to enter into the opinion of the House of Lords; but if it were, he thought he could deal with it. It was a most serious matter that a Government should take up a Bill of this kind, and he begged to give notice that when it was brought forward for a second reading, he would move that it be read that day six months.

Mr. Serjeant GASELEE gave notice that when the Bill came on for a second reading he should renew his Motion that it be read a second time that day six months.

Mr. MITFORD joined with the hon. Member (Mr. Hibbert) in the hope that his right hon. Friend would lose no time in asking the House to agree to the second reading.

Mr. HADFIELD said, he had a very strong objection to the principle of this Bill, because it was a very serious thing to enact a law by which private death should under any circumstances be inflicted. If this extreme punishment were inflicted at all, it should be in the face of the sun and in the eye of the people. He was aware of the inconveniences which arose from public executions; but still they were better than having them in private. His own opinion was that it was impolitic to administer the punishment of death at all, but so long as it was administered it should be in public.

Motion *agreed to.*

Bill to provide for carrying out of Capital Punishment within Prisons, *ordered* to be brought in by Mr. Secretary GATHORNE HARDY, Mr. WALPOLE, and Mr. ATTORNEY GENERAL.

Bill *presented*, and read the first time. [Bill 36.]

LEE RIVER CONSERVANCY BILL.

LEAVE. FIRST READING.

MR. STEPHEN CAVE, in moving for leave to bring in a Bill to make better provision for the Preservation and Improvement of the River Lee and its Tributaries, and for other purposes, said, that the Bill was brought in in accordance with the recommendation contained in the Report of the Select Committee on East London Water Bills, which sat last Session, under the presidency of the hon. and learned Member for the Tower Hamlets, and it carried out the recommendations of the Pollution of Rivers Commissioners, appended to their Report on the River Lee, which was issued in May last. The object of the Bill was the preservation of the purity of the water. It dealt, indeed, incidentally, with the navigation, but only in the way of transferring authority from the old Lee trustees to the new Board of Conservancy. The Bill did not deal at all with a most important branch of the valuable Report of the Committee — that, namely, relating to the constant supply of water, the internal fittings of houses, the pressure to insure a sufficiency of water in case of fires, and other points of a kindred nature. Not that the Government dissented from that portion of the Report; on the contrary, they fully concurred in those recommendations, but they deemed them beyond the scope of the present Bill, which simply dealt with the conservancy of the River Lee and its tributaries; and they thought those points should form the subject of a separate Bill—if for no other reason, because such provisions ought to be applied to all the water companies of the metropolis, and would involve the repeal of old Acts which were not incidental to that special question. While altering the constitution of the authority in charge of the Lee, the Government had no wish to cause a revolution or to destroy the Lee trust, which under the able presidency of the Marquess of Salisbury had worked extremely well, and done even more than might have been expected when its constitution and powers were taken into consideration. That Bill would re-constitute it with smaller numbers, fuller powers, and an enlarged jurisdiction, and also strengthen it by the addition of representatives of the various interests affected. The old Lee trustees, 120 in number, were converted into a constituency, to elect seven members of the new Board of Conservancy. The traders on the river and bargeowners would elect one, the New River and East London Water Companies one each, the Board of Trade two, the Corporation of London one, the Metropolitan Board of Works one, and the Stort Navigation one. That would make fifteen, and to that body were to be committed powers for carrying into effect regulations for the preservation of the flow and purity of the water, the prevention of the passage of sewage or offensive matter into it, and the power of making bye-laws to be approved by the Queen in Council on various minor details. No rate would be levied on the inhabitants of East London for these purposes, but an additional payment would be made by the two water companies in return for the increased purity of the water and other incidental advantages they would obtain. The new regulations were proposed to take effect in April, 1869. That Bill was analogous to the one lately passed for the conservancy of the Thames, with the difference that whereas the Thames conservators had jurisdiction for three miles only on each side of the river, that of the Lee conservators extended over the whole watershed; for the manifest reason that in order to preserve the purity of so small a river it was necessary to have control over all the tributary streams which flowed into it. That Bill, though brought in as a public Bill, was really a hybrid one, and therefore he could not fix the second reading; but if the House allowed the measure to be read a first time he would then move that it be referred to the Examiners, and on their Report that the Standing Orders had been complied with, he would give notice of the day for the second reading.

SIR GEORGE BOWYER said, he was glad that the Government had taken up the question of the River Lee. He had sat on the Committee to which two Bills relating to the Thames and its navigation were referred, when it was shown that the state of the River Lee was a great nuisance. He trusted, however, that this Bill would be made more effectual for its purpose than those two other Bills had been found in practice since they became law. The first of those two Acts relating to the Thames was passed in 1866, and as a Member of the Committee upon it he deemed himself a party to an arrangement then come to, by which the London water companies were to pay £5,000 a year towards the navigation of the Thames, upon the condition that the river was to be purified by the exclusion of the sewage of the different towns above Staines from it. Since then the London water companies had punctually contributed their £5,000 a year; but till this moment nothing has been done towards carrying into effect the agreement made with those companies. No step had been taken by any of the towns above Staines to exclude their sewage from the river, and he understood that those towns said they could not be compelled to do so, and were determined to go on discharging their sewage into the Thames. He did not know whether the powers of the Conservators of the Thames would enable them to enforce compliance with that condition upon those towns; but, in good faith towards the water companies, in some way or other, the people of those places should be compelled to cease polluting the river. He trusted, therefore, that care would be taken so to frame the provisions of the present Bill as would make them efficacious for the purification of the River Lee; and he hoped, also, that the Government would take into consideration the two Acts relating to the Thames to which he had alluded, for it was useless attempting to purify the Thames in London if the towns situated higher up its banks continued to empty their sewage into it.

Mr. POWELL said, he trusted that this would not be the only Bill of this class which would be introduced during the present Session, but that, having dealt with the River Lee, they would also deal with the Aire and Calder, the state of which urgently demanded their attention. The population occupying the basin of the River Lee was about 250,000, whereas that occupying the basin of the Aire and Calder exceeded 1,000,000. The Commissioners, in reference to the River Aire, recommended that there should be a central board, instead of leaving that river to local management; and he hoped the right hon. Gentleman's attention would be directed to the suggestion; and he hoped also that provisions, as in the Thames Conservancy Act, would be introduced into this Bill to prevent the deposit of solid matters in rivers.

Motion *agreed to*.

Sir George Bowyer

Bill to make better provision for the Preservation and Improvement of the River Lee and its Tributaries; and for other purposes, *ordered* to be brought in by Mr. Stephen Cave, Mr. Ayrton, and Mr. Hunt.

Bill *presented*, and read the first time. [Bill 38.]

RAILWAYS (EXTENSION OF TIME) BILL.

LEAVE. FIRST READING.

Mr. STEPHEN CAVE, in rising to move for leave to bring in a Bill to give further time for making certain Railways, said, it was the measure which he mentioned in his remarks on Tuesday on the Motion for revision of the Standing Orders, as very much wanted at the present moment, and the House, he thought, appeared generally to concur in that opinion. It proposed practically to re-enact the Act of 1847, 11 *Vict.* c. 3, under which any railway companies were empowered to apply to the Board of Trade within two months after the passing of the Act for an extension of time to complete their works of not more than two years. The House would remember that clauses were inserted in the Railway Companies Act of last Session, empowering the Board of Trade to authorize the abandonment of railways under provisions similar to those of the Abandonment of Railways Act of 1850. Experience had already shown that it would have been well if provisions for the extension of time had been also revived; because, as he stated the other night, we might not improbably see reason in the course of inquiries now in progress to think that extension of time and not abandonment would be the just course, and we might thus be enabled to effect a reasonable compromise between the applicants for warrants of abandonment and their opponents. The proceedings were of the same nature as those in cases of abandonment. The greatest care was taken to secure publicity, and unless the companies carried out fully every requirement for giving complete notice to all interested, the Board of Trade would proceed no further. Indeed, he did not think he was going too far in saying that there was even less chance of changes in a Railway Act being surreptitiously introduced in the course of these inquiries than in the passage of a Private Bill through Parliament in the ordinary way. It might be said that after the expiration of the two years a company might come again for abandonment, and that the proprietors of lands and houses within the compulsory powers might be subjected to loss and inconvenience. That was quite true; but it would be equally the case if the railway obtained its extension of time by Bill, with the difference that it would be enormously more expensive to oppose, as well as to promote; and he need scarcely say that the object of the Government was to save expense not only to the companies which applied, but to landowners and other dissentient parties. Moreover this was a question for compensation, for which there were ample provisions in the Bill, and he might remind the House that in the abandonment clauses of last year the Act of 1850 was amended in this respect, by making the deposit and bond available as assets to meet charges and claims against the company, so that, unless exception was taken to the tribunal, no objection could be urged that opponents were likely to be injured; and with regard to the tribunal it had already been tried. In 1847-8 it dealt successfully with 168 cases, and if Parliament last year considered it worthy of being intrusted with the power of authorizing abandonment, he could hardly think it would fear to impose on it the less important duty of granting extension of time. He quite admitted that such duties, in both those cases, ought only to be temporary, for the purpose of meeting an emergency like the present. As on the previous occasion, these enactments would expire of themselves, the abandonment clauses applying only to Acts obtained before that date, and the proposed Bill only to those companies which come forward within three months. He might add that the Board of Trade were now dealing with applications for the abandonment of twenty-eight lines of railway, and were informed that more would be made. They had also reason to know that immediate advantage would be taken of that mode of obtaining extension of time if Parliament assented to the present Bill.

MR. WATKIN said, that he did not mean to oppose the Motion. It was well known, however, that railway companies had of late years obtained Acts for the construction of lines that ought never to have been projected; and he did not think it would be advisable to introduce any measure which would prevent the abandonment of such schemes. But if the Bill were introduced for the purpose of affording further time for the completion of really desirable railway undertakings it might be productive of considerable public advantage.

Motion *agreed to.*

Bill to give further time for making certain Railways, *ordered* to be brought in by Mr. STEPHEN CAVE and Mr. HUNT.

Bill *presented,* and read the first time. [Bill 39.]

SUNDAY TRADING (METROPOLIS) BILL.

On Motion of Mr. THOMAS HUGHES, Bill for the regulation of Sunday Trading in the Metropolis, *ordered* to be brought in by Mr. THOMAS HUGHES, Lord CLAUD HAMILTON, and Mr. LUSK.

Bill *presented,* and read the first time. [Bill 40.]

METROPOLIS SUBWAYS BILL.

On Motion of Mr. AYRTON, Bill to make provision respecting the use of Subways constructed by the Metropolitan Board of Works in the Metropolis, *ordered* to be brought in by Mr. AYRTON. Mr. TITE, and Colonel HOGG.

Bill *presented,* and read the first time. [Bill 41.]

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Friday, February 21, 1868.

MINUTES.]—SELECT COMMITTEE — On Promissory Oaths, Earl Russell *added.*

Their Lordships met; and having gone through the business on the Paper, without debate—

House adjourned at a quarter past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, February 21, 1868.

MINUTES.]—NEW WRIT ISSUED—*For* Argylshire, *v.* Alexander Struthers Finlay, esquire, Chiltern Hundreds.

NEW MEMBERS SWORN — Right Hon. Richard Warren, *for* the College of the Holy Trinity, Dublin; William Baliol Brett, esquire, *for* Helston.

SELECT COMMITTEE—On Committee of Selection *nominated.*

SPAIN—THE "QUEEN VICTORIA." QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any advance has been made by the Spanish Government towards the settlement of the long standing claims of the owners of the *Queen Victoria;* and, if not, whether he sees any prospect of justice being done in that respect, without stronger pressure being put on the Spanish Government in regard to it than has hitherto been employed?

LORD STANLEY: Sir, the case of the vessel referred to by the hon. Member is this: On the 15th of January, Mr. Dunlop, the British Consul at Cadiz, wrote to the Foreign Office, inclosing a letter from the agent, stating the case of the owners. Sir John Crampton was asked to report upon that statement. He did so on the 28th of January, to the effect that the Spanish Government alleged that the delay which had taken place in the settlement of this matter had been caused by the plaintiffs having failed to supply the necessary information. Sir John Crampton suggested that the plaintiffs should state, in detail, the steps they had taken to supply the evidence required. This they have been asked to do in a letter dated the 3rd of February, but no answer has as yet been received from them. In the mean time, I have instructed Sir John Crampton to lose no opportunity of pressing the Spanish Government for an early settlement, and I do not think, as the matter now stands, that any further steps are required.

EGYPT AND ABYSSINIA.—QUESTION.

MR. OTWAY said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any communication has been made on the part of Her Majesty's Government to the Viceroy of Egypt relating to the invasion of Abyssinia by the troops of his Highness; and, whether he will lay upon the table of the House Copies of any Communications which have passed on this subject between Her Majesty's Government and our Consul General in Egypt?

LORD STANLEY: The Papers to which the hon. Gentleman refers were presented last night, and will, I believe, be circulated on Monday.

ECCLESIASTICAL ESTABLISHMENTS IN THE WEST INDIES.—QUESTION.

MR. REMINGTON MILLS said, he wished to ask the Under Secretary of State for the Colonies, If he intends on an early day to introduce a Bill to relieve the Consolidated Fund from the charge of £20,300, for the Ecclesiastical Establishments in the West Indies?

Mr. Darby Griffith

MR. ADDERLEY said, in reply, that Circulars had been sent to the Governors of the West Indian Islands, with a view to obtain information on certain points. When that information was received a Bill would be introduced.

SCOTLAND—BURNTISLAND AND GRANTON FERRY.—QUESTION.

MR. AYTOUN said, he wished to ask the Vice President of the Board of Trade, If he would consider the propriety of retaining the Burntisland and Granton Ferry within the limits of a River Certificate, and whether he would be good enough to state on what principles those limits are defined?

MR. STEPHEN CAVE said, in reply, that the Ferry from Burntisland to Granton was not within the limits of a simple River Certificate, but belonged to the class requiring an extended River Certificate. The principles were these: There were two classes of Certificates applicable to these cases. The one was called a smooth water or River Certificate, which, in the Forth, was granted to vessels plying not further east than Queensferry. It contained regulations as to the number of passengers and equipment which applied only to smooth water voyages. The other—namely, the partially smooth water or extended River Certificate—was granted to vessels plying within the space from Queensferry to Anstruther and North Berwick. They carried a smaller number of passengers, and ought to have the additional equipment of sails, boats, and compass—a regulation not always strictly observed—but which the Board of Trade hoped soon to have better means of enforcing. The shipwright surveyor must certify that the hull was sufficient for the service and in good condition, and must declare the limits beyond which the vessel was not fit to ply. He might mention, by way of illustration, that the River Certificate in the Clyde extended to Dunoon; the extended River Certificate to Cumbrae and Skipness; and that in the Thames the former extended to Gravesend, the latter to Margate and Walton-on-the-Naze. Beyond these limits the Home Trade Certificate began. There was also an Excursion Certificate, granted only for daylight and summer months.

METROPOLITAN POLICE.—QUESTION.

VISCOUNT ENFIELD said, he would beg to ask the Secretary of State for the Home

Department, What permanent addition has been made to the numbers of the Metropolitan Police Force; and, whether there is any intention to make any further alteration in the numbers, pay, duties, or organization of the said Force?

Mr. GATHORNE HARDY: I have to state, Sir, that I discovered last autumn that the Metropolitan Police had an amount of work cast on them which prevented their obtaining what I consider essential rest in order to do their work efficiently. In consequence I authorized an addition of 1,000 constables to be made to the force, which will involve 20 Inspectors and 100 Sergeants. The addition, therefore, will comprize a total of 1,120 men. Perhaps I may mention that, even with this increase, the force will not be so large in proportion as it was on its first institution, in 1830, when there were only 106 square miles and 68,000 acres to be watched by the Police. Then there were twenty-eight acres and 448 persons to one Constable; but under the new arrangement there will be fifty-seven acres and 460 persons to each Constable. With respect to the second Question of the noble Lord, I may say that I am now conducting, by means of very skilful persons, full inquiries into the whole condition of the Police, and therefore I am not able to state at present what further steps I may think it necessary to take.

THE ABYSSINIAN EXPEDITION.

QUESTION.

Colonel SYKES said, he would beg to ask the Secretary of State for Foreign Affairs, When the further Abyssinian Papers, ordered by the House on the 6th December, 1867, will be laid upon the Table; and, whether Dr. Blane's letter to Colonel Merewether, from Magdala, of the 2nd December, 1867; Mr. Rassam's of the same date; and the Rev. Mr. Flad's to Mr. Rassam, dated respectively the 8th and 23rd November, 1867, from King Theodore's camp; and Colonel Merewether's Despatches to the Bombay Government, dated 25th December, have been received at the Foreign Office, and will be laid upon the Table?

Lord STANLEY: None of those Papers to which the hon. and gallant Gentleman refers are in the Foreign Office. Some of them may be in the possession of my right hon. Friend the Secretary of State for India; but I am not able to say.

Sir STAFFORD NORTHCOTE: I will examine and see whether we have the Papers, and whether it is desirable that they should be laid on the table, for great care ought to be taken with respect to such matters.

Colonel SYKES: They have been published in the *Bombay Times.*

ARMY—FEVER IN THE MAURITIUS.

QUESTION.

Mr. WHALLEY said, he would beg to ask the Secretary of State for War, Whether it is the fact that the 86th Regiment having been detained on its way to the Mauritius at Algoa Bay, owing to the prevalence of fever in that island, was ordered on with instructions not to land unless the fever had abated; that on its arrival there in Her Majesty's Ship *Tamar* on the 27th of December last the authorities of the island met and decided that the fever being then on the increase the regiment ought not to be landed; that the Regiment was landed on the 28th of December, and that fever is now spreading amongst the troops? What are the circumstances that justify the landing of the said regiment at the Mauritius, or that demand the presence of European troops in that island during the prevalence of fever there; and, whether it is the fact that, by reason of this fever, of two companies of Engineers lately stationed there but sixty men remained, and of the entire force of Artillery but 100, and that the 13th Regiment also suffered most severely from the same cause?

Sir JOHN PAKINGTON said, in reply, that the 86th Regiment had been sent from Gibraltar to the Mauritius last summer, but on arriving at the Cape of Good Hope was detained there in consequence of a serious epidemic then prevailing in the Mauritius. The military authorities here had sent orders to the General commanding at the Cape not to allow the regiment to proceed until he had received intelligence from the Mauritius that it might be done safely. Instructions had been also sent to the General in command at the Mauritius that he was to send to the Cape to have the regiment come off when he thought the epidemic had subsided. In the month of October General Milman, who commanded in the Mauritius, thought that the fever had so far subsided that there was no danger, and he sent word to the Cape to that effect. As soon as a transport could be obtained the 86th were sent on, and they arrived on the 27th of December. But, in the meantime, the epidemic had broken out again, and assumed a very grave aspect in the town of St. Louis. Accordingly, when the regiment arrived, it became a matter for very serious consideration whether it could be safely allowed to land. A consultation was held between the General and the principal Medical Officer, and they decided that the regiment ought not to land. The surgeon of the regiment expressed in writing a very strong opinion that the regiment ought to go back to the Cape. That opinion was communicated to the Colonel, but he remonstrated so strongly, solely on the grounds of discomfort and inconvenience in being sent back, that the General changed his mind and allowed the men to land. He, however, took the precaution of sending the regiment as soon as possible to the out-stations, and dispersed the men in the more healthy parts of the island. The result was that up to the 17th of January, three weeks after the landing, only twenty-five cases of disease had occurred, and he was happy to add that no death had taken place. Still he thought it his duty to know why it was that the Colonel of the regiment pressed that the regiment should be allowed to land, and why the General changed his mind and suffered the regiment to incur so great a risk. As far as he knew the facts he felt bound to say that the landing was not justified. He was happy to state that with regard to the Artillery and the Engineers the case was not so serious as the hon. Gentleman seemed to suppose. He found —speaking of what had occurred in the Mauritius—that up to the 17th of last month, only ten deaths had taken place in the Royal Engineers, and only two in the Royal Artillery. In the 13th Regiment, which had returned to this country last July, no great loss of life had occurred.

MEXICO—OUR DIPLOMATIC RELATIONS. QUESTION.

Mr. T. BARING said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any diplomatic relations exist at present between this country and the Government of Mexico; and, if so, of what character they are; and, whether Her Majesty's Government intend to take any measures to enforce the due execution of the Conventions previously entered into between the two Governments in favour of British creditors and bondholders?

Lord STANLEY said, in reply, that in September last the Mexican Government formally announced to the then British Chargé d'Affaires their determination to hold no official communication with the Representatives of those Powers which had recognized the Mexican Empire. They founded that decision, as he understood, upon the principle that the recognition of the Mexican Empire was an act of hostility to the Mexican Republic which, as they contended, had never ceased to exist. Under these circumstances, Her Majesty's Government had no option but to withdraw the British Legation, which was directed to be done in a Despatch to the Chargé d'Affaires, dated the 25th of October last. At present therefore no diplomatic relations existed between England and Mexico; but that state of things was due, not to any act of ours, but to the action of the Mexican Government. The Conventions entered into between the two Governments remained in force; but the question what steps were necessary to enforce the due execution of those Conventions was one of a very grave character, upon which he was sure neither the hon. Member nor the House would desire him to express a hasty or ill-considered opinion. He could only say that the Question would not be lost sight of. He was prepared to lay the Papers on the table.

INDIA — BANDA AND KIRWEE PRIZE MONEY.—QUESTION.

Mr. NEVILLE-GRENVILLE said, he would beg to ask the Secretary of State for India, Why the Officers and Men of the Royal Regiment of Artillery, who served at the capture of Banda and Kirwee in 1858, have not yet received any portion of their shares of the Prize Money granted them by Royal Warrant, although the rest of the Troops, both of Her Majesty and the late East India Company, have received a first and second instalment?

Sir STAFFORD NORTHCOTE said, in reply, that the Prize Roll had not yet been received from the Prize Committee, although it had been twice asked for, and no distribution could take place until that information was obtained.

TELEGRAPHIC COMMUNICATION WITH INDIA.—QUESTION.

Captain VIVIAN said, he would beg to ask the Secretary of State for India, Whether, looking to the very unsatisfactory state of the telegraphic communication between this country and India, the Government have taken any steps to establish a more direct system; whether the Government have opened any negotiations with any private Companies with this object; whether the Government has included in such negotiations the question of establishing a direct telegraphic communication with the Abyssinian forces; and, whether the Secretary of State will inform the House what has been, or is likely to be, the result of any steps they may have taken in this matter?

Sir STAFFORD NORTHCOTE replied, that the telegraphic communication between this country and India was not all that could be desired, but he did not think that it deserved the description of being in a "very unsatisfactory state." The average rate of the transmission of messages during the first twenty days of February, *viâ* Russia, was three days and nine hours, and by Turkey three days and eleven hours. Within the last week the average rate had been two days and twenty-two hours; and individual messages had occasionally been received on the day of despatch *viâ* Turkey and Russia, and frequently on the day following the date of the despatch. He might observe that steps were being taken, which he hoped would improve the existing lines of communication, in consequence of a concession recently obtained by Messrs. Siemans and Co., from Prussia, Turkey, and Russia. Nevertheless, it would be an object of great interest and advantage to this country to obtain another line of communication *viâ* the Red Sea. Whenever the attention of the Government of India had been called to the subject, they had admitted that another line was much to be desired; but it was not the opinion of the Council of India that they had a right to burden the revenues of India with any guarantee or subsidy to establish such a communication; and it was obvious that the expense of any line of telegraphic communication between India and England, if borne by Government subsidy or guarantee at all, ought to be borne, not by India exclusively, but jointly by India and the Imperial Government. The principle laid down by the Imperial Government with respect to submarine telegraphs was that it was not fit, in the present state of submarine telegraphy, to advise a guarantee or subsidy, but that it was better to give facilities in the way of surveying and in other modes. Such being the case, several proposals had been made to private companies, but they had led to no result. However, at the time of the Abyssinian expedition it was brought under the notice of Government that the establishment of telegraphic communication between England and Massowah, or whatever other point might be selected as the point of departure for the expedition, would be a great advantage; and in consequence of the sense which the Government entertained of the importance of establishing, if possible, such a communication, he entered into communication with the Directors of the Telegraphic Construction and Maintenance Company, who were disposed to meet the Government in the most liberal spirit; but when their proposals came to be examined, it was found that it would not have been possible to establish a submarine cable from Annesley Bay, so that it could be worked before January. Under these circumstances, the great advantage of telegraphic communication, while the expenditure was organizing, would be lost, and, therefore, it was not thought advisable to incur the cost of laying a cable to Annesley Bay. It had been said, that the expense of doing so would not be lost, because that point was so much on the road to India; and the Government stated that if the Telegraph Construction Company would lay down a cable, the Government would willingly pay for its divergence to Annesley Bay; but that suggestion was not adopted. Since then there had been proposals for the purpose of establishing telegraphic communication across Egypt, but every proposal made by the Government had broken down, on one ground or another, and it was not found possible to establish any telegraph line which would be satisfactory, in a reasonable time or at a reasonable cost. He might, therefore, say that practically the intention to establish telegraphic communication with Annesley Bay was suspended or abandoned. He had received, on the previous day, a private letter from Sir Robert Napier, in which the gallant General said that the only way in which telegraphic communication could be established would be by a submarine cable down the Red Sea. Such a cable Sir Robert Napier thought would be desirable, as it would be laid down on the road to India; and with regard to the expedition it would be useful if the expedition were prolonged; but, he added—and this was a most satisfactory part of his letter—that he had no doubt the expedition would be concluded in the present season. Therefore, Sir Robert Napier did not press the laying down a cable, in consideration of its advantage to the expedition, but chiefly on the ground of its forming a line of communication with India; but to encourage the formation of such a line by subsidy or guarantee was not the policy of the Government, but they would be very glad to see it established by private enterprize.

COMMITTEE OF SELECTION.

Committee of Selection *nominated:* — Sir Brooke Bridges, Lord John Browne, Mr. Dunlop, Sir William Heathcote, Mr. Whitbread, and the Chairman of the Committee on Standing Orders.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

LOCAL TAXATION.—OBSERVATIONS.

Mr. GOSCHEN said, he rose to call the attention of the House to the last Report of the Metropolitan Board of Works, and to the continuous increase of the burdens laid, and proposed to be laid, for various purposes, in London and elsewhere, on the occupiers of rateable property. He placed his Notice on the Paper with the feeling that it had become necessary to call attention to the financial part of the question, or there was otherwise a probability that metropolitan and municipal finance would come to a dead lock. Public opinion had determined that further progress in sanitary improvements was necessary, and the opinion had become general that the duties which were at present imposed upon parochial bodies were insufficiently and too scantily performed. A constant outcry was heard that the Poor Law was not administered with sufficient liberality. It was also complained that the police were inefficient, and, from an answer given to-night, it did not appear that any diminution of expenditure was to be looked for under that head. The accommodation for the sick poor in workhouses was most defective, and it was necessary to carry out many important and expensive improvements in that direction. The opinion was likewise gaining ground that further duties might have to be undertaken by the local authorities—for instance, that the education of the poor should be defrayed in part at least out of local rates. So, again, the Bill of the hon. Member for Finsbury (Mr. Torrens) contemplated the improvement of the dwellings of the poor by a machinery, which might possibly impose additional burdens upon the ratepayers. In every direction they could see that greater expenditure was unavoidable, while, at the same time, there was a desire that these improvements should be carried on not by means of Imperial, but out of municipal and local funds. The question, therefore, was, how these improvements could be carried out with the present limited resources at the disposal of the municipal and parochial authorities? Were the improvements to give way to the financial difficulty, or must the financial difficulty be got rid of for the sake of the improvements? In a great part of the country the burden of the rates was so heavy that there was little possibility of carrying out further great improvements without re-casting, to a certain extent, the present system of municipal and parochial taxation. He did not propose to conclude with a Motion, because he wished the question to be considered apart from the polemical controversies which arose when they got into the region of local government. Confining himself to the financial point of view, he wished to ascertain what were the burdens at present imposed upon rateable property in the country generally, its resources on the one hand, and the nature and extent of the expenditure on the other? A blue book was annually placed in the hands of Members, containing the Local Taxation Returns, and it professed to deal with the whole of the local taxation of the country. He had been very much disappointed on studying these Returns, because the more time he spent in their examination the more errors he found. There was such a chaos, indeed, that it was impossible to ascertain the exact increase in the burdens of any district, town, borough, or local Board. After the poor rate, the county rate, and the highway rate, the next most important items of expenditure were those of Local Boards and of Boroughs, and Parliament was so anxious that Returns on this subject should be made that a separate Act of Parliament was passed in 1860, requiring various Boards, under a penalty of £20, to make these Returns annually. Considering that the local expenditure of this country amounted to nearly £20,000,000—that was to say, nearly one-third of the Imperial expenditure—it was most important that full, clear, and intelligible accounts should be placed in the hands of Members. There were 760 Local Boards in the country at present, of which number only 161 made Returns in 1866. He should be glad to be informed whether the penalties had been enforced in those cases where no Returns had been made. He desired to call the attention of the House mainly to two items in the Local Taxation Returns — the accounts of the Boroughs and of the Local Boards. It appeared in the account of 1865, that the aggregate of "the Borough Rates" was put down at £300,000, but in a foot-note it was stated that those Returns had not been printed since 1855. What was the use of getting up an expensive blue book, when as regarded an important item like the total expenditure in Boroughs no fresh information was given between 1855 and 1867? Since 1855 the Returns coming in every year were tied up in a bundle in manuscript and sent to the Library of the House, where any hon. Member might hunt through them if he chose. In 1866 the hon. Member for East Gloucestershire moved for a very important Return to ascertain if possible the aggregate of Local Taxation. That Return had been only just presented, eighteen months after it had been asked for, and probably much too late for the purpose for which it was intended. From the materials furnished to the Home Office by the various Boroughs for the purposes of that Return, it appears, as stated in a note to the Local Taxation Returns for 1866, that the Borough Rate amounts to £1,700,000; while in the blue book, two years ago, it was put down at only £300,000. The fact was that no argument could be drawn from these Local Taxation Returns as they had them at present; and it was necessary to look at special Boroughs to find out what that taxation was. He had stated that the burdens of local taxation were increasing; but he had found great difficulties in proving that statement because of the inaccuracy of the Returns. Of 211 Boroughs in 1856 there were 169 which made Returns, and in 1866 only 75 did so. He had taken seven or eight specimen Boroughs at random from the blue book, and he found that in Bolton the borough rate in 1857 was £7,500, and in 1866 it was £10,500; while the debt had risen in the same interval from £188,000 to £270,000. The lighting rate had increased from £6,400 to £11,000. In Birmingham the borough improvement rate had increased from £50,000 to £77,000, and the street improvement from £2,400 to £8,000. In Manchester the city rate had increased from £72,000 to £90,000, they having in Manchester the great advantage of a profit of £20,000 a year from gas. The expenditure of that city had increased from £117,000 to £150,000. In Bradford the accounts for 1856 were so indistinctly made up that it was impossible to institute a comparison; but the debt had risen to £950,000. In Oldham the debt had risen from £18,000 to £120,000. In Warrington the rate had increased from £6,000 to £10,000. He was sure the average increase over all the Boroughs considerably exceeded 30 per cent in the ten years. Thus far he had spoken of the borough rates, but a great part of local taxation was not imposed by municipal Corporations, but by so-called Local Boards, the number of which increased from year to year. Every town where improvements became necessary placed itself under the Local Government Act, and elected Local Boards. There were now 760 of those Local Boards, but only 161 had made Returns in 1866; and the consequence was that those Returns positively exhibited a decrease in the amount of the rates. In 1863 the rates of the Local Boards were £500,000; in 1865, they were stated to amount to £380,000; in 1866, to £308,000. There was an apparent decrease every year, while the fact was there was a very large increase every year, and instead of the amount being put at £300,000 it ought to be £1,500,000 at least. As far as he could ascertain, only one-fifth of the places had made Returns, and those were not the largest, but generally the smaller class of towns; if they multiplied the £300,000 by 5, taking the towns which had furnished proper accounts, as a fair average of the whole number, the result was that the total ought to be £1,500,000. In 1863 Returns were made by 198 towns, and in 1866 by 161; but they were not the same towns which made Returns in the one year as made them in the other, and, in fact, the Returns were worthless. There were only eighty Local Boards, which made Returns, both in 1863 and 1866; and if they took the expenditure separately of those eighty Local Boards, they would find that there was an increase of 30 per cent in their expenditure. Indeed, the result of the whole investigation he had made of these Local Boards, Boroughs, or other bodies was that their expenditure had in a comparatively short space of time increased at least 30 per cent. He now came to the debt of the local Boards. Those Boards were very large borrowers, and in the Local Taxation Returns the aggregate sums they had borrowed were professedly given. In 1866 the aggregate debt was stated at £1,300,000; but on examining into the matter he had found that during the last sixteen years the Local Boards alone—without speaking of the Boroughs—had borrowed £7,000,000; and that money having been borrowed for periods of between thirty and fifty years, but a comparatively small portion of it could have been paid off. Within the last two years alone they had borrowed £1,500,000, and the debt was increasing year by year; for in the first eight years £3,000,000 had been borrowed, while in the last eight years £4,000,000 had been obtained. He wished it to be understood that he was not speaking against local improvements or denying the necessity of that expenditure, but only justifying his assertion that there was a continuous increase in the burdens placed on the occupiers of rateable property. He had dealt especially with the Local Board rates and the rates of the Boroughs, because they were the most difficult to analyze, the amount of other kinds of rates being given more correctly. In the Return of the hon. Member for East Gloucestershire, of which he had spoken, the aggregate amount of local burdens in England and Wales was stated at £15,000,000. But from inquiries he had instituted he found that the Local Board rates included in that aggregate taxation were not obtained from any fresh source, but that the errors already existing in the Local Taxation Returns were again incorporated in this new Return. The consequence was that this new Return was also incorrect, and they were still unable to ascertain the correct amount of the total expenditure. By how much the Return was incorrect it was impossible to say, but he was sure it was wrong by, at least, £2,000,000, and that, instead of being £15,000,000, the local taxation of England and Wales—exclusive of tolls, pilotage dues, and harbour dues which were imposts of a different kind—amounted to £17,000,000 sterling. Inclusive of this other kind of revenue it almost reached £20,000,000. At the same time he must in candour mention that, while their local taxation had increased at that rate, there had also been a very large increase in the rateable value of property. The amount of rateable property in England and Wales had increased from £60,000,000 to £90,000,000 since 1842. But was the whole of that increase in the nominal value of the property due, he should like to know, to a corresponding increase of wealth and of the value of the lands and houses assessed? Was it not, rather, fair to assume that a portion of the increase was attributable to the screwing up of the assessments by the overseers and landlords; and another portion of it to the circumstance—which was no matter for congratulation—that the dwellings of the working classes had become so scarce that rents had been run up, not to the public advantage, but rather to the public disadvantage? Supposing that had occurred in the Tower Hamlets, and in the East End of London generally, the overseers, under the pressure of increased expenditure, screwed up the assessment in every case, and that therefore the assessment showed an increase of rateable value, could it be said that the ratepayers in such places were better able to bear their increased burdens in such a case? He thought they were less able to bear those burdens. It was perfectly true that part of the increase in the country generally might be the result of the increase in the inherent value of the land, owing to drainage, better cultivation, the erection of new houses, and other improvements; and so far as it was due to such facts, and was not simply due to a rise in rents, the country was doubtless better able than before to bear the burden of local taxation. Whether such was the cause there were, however, no Returns to show. In the year 1826 a Return was framed, in which land was separated from houses, and from which it could be ascertained how much fell on each. He had not been able to find any recent Return of that nature; but he found from the Electoral Returns which had been lately published that there had been an increase of £3,000,000 in the assessment of property in the metropolis since 1856. About £1,000,000 of that amount was furnished by the City, and no doubt the value of the property there had been largely increased, owing to its being the great centre of business, as well as to the endeavours which had been made to force up the assessments in that particular locality. Taking, however, the remaining seven Parliamentary Boroughs which went to make up the metropolis, he found that the increase in the value of rateable property had been greatest in the poorest and lowest in the richest districts. That was a remarkable fact. The rateable value in some districts had been increased by industry and trade; but in other districts it had been increased because rents had been raised in places where the occupiers were least able to bear them. In Westminster the increase had been only 15 per cent, and in Marylebone 20; but in the Tower Hamlets it had been 35, and in Finsbury 32. Thus it appeared that it was in the eastern quarters of London where the working classes chiefly resided, that the increase had been largest, and it was there that the screw of the overseer and the landlord had been most effectively applied. He would now turn to the Report of the Metropolitan Board of Works, to which his Notice on the Paper specially referred. That Board published annually a document which they called an abstract of accounts, and he must be a clever accountant indeed who could obtain from that document a clear idea of metropolitan finance. Indeed, he doubted very much whether it was possible to obtain it at all. There were many accounts connected with the transactions of the Board with respect to which no information was conveyed in the abstract. The members of the Board were, no doubt, anxious to give the fullest information on the subject; but then they failed to do so, possibly, because they chose to follow slavishly one particular form of account, which was, to say the least of it, very unintelligible. There was no single account to show the annual receipts apart from their loans, and there were no means of ascertaining accurately the various kinds of expenditure. They mixed up what the French would term their ordinary and extraordinary income and expenditure. It was impossible to arrive at the real position of their finance. It was true that they published an expense estimate; but then it was only an estimate of their outlay for "general purposes." They furnished beforehand no detailed information to the ratepayers as to what they intended to do during the coming year, what improvements were to be carried on, what resources either from the sale of property or from rents lay at their command. The amount of their expenditure might, indeed, be arrived at with some trouble—their receipts and loans with greater trouble still; but he defied anybody to discover from their accounts the extent of the property which they could make available. In Paris, on the contrary, the corresponding budget—to which he might point as a model of clearness, except in some particulars which it might be deemed desirable to conceal—gave a list of every house and of every plot of ground which belonged to the municipality. But it was not of the omission to which he had just invited the attention of the House in the accounts of the Metropolitan Board of Works that he had solely to complain. Its members seemed also to take a very curious view of their responsibilities, for they furnished no intelligible information as to their aggregate liabilities. They owed several millions in connection with the Main Drainage scheme, yet that important item they altogether left out from the list giving their total liabilities. Why? Because, he supposed, they considered that the liability was covered by the *3d.* rate which they paid into the Bank of England. As one liability was covered by one source of revenue they left both out of their accounts. The hon. and gallant Member for Aberdeen (Colonel Sykes) had moved for and obtained a Return, showing the sums which had been annually laid out by the Board, since its establishment, on the Main Drainage of the Metropolis and on the Thames Embankment, as well as the various other items of expenditure which they had incurred. The figures which gave the entire outlay had not been added up; he supposed because the hon. and gallant Member had not specially asked for the addition; but on going through that process for himself he found that the total expenditure of the Board since 1857 amounted to over £10,000,000. To show how that expenditure had gone on increasing for years he might state that while in 1857 it was only £90,000, it reached in 1858, £260,000; in 1859, £600,000; in 1860, £750,000; in 1861, £900,000; in 1862, £1,000,000; in 1863, £1,200,000; in 1864, £1,350,000; and in 1866, £1,970,000. It would be seen that while the rate of increase at first was slow, it had grown faster and faster every year. The total expenditure was £10,979,000; but he believed they had not even now got a complete Return. The hon. and gallant Member had left out the word "interest" from his Motion, consequently the sum spent on interest had, he believed, been omitted from the Return. He gathered that from the following singular circumstance:—It appeared that the receipts from the Metropolitan Main Drainage rate were £5,165,000, while the expenditure was, in round numbers, £3,700,000; so that the receipts were much larger than the outlay. A portion of the excess was accounted for by the re-payment of debt, no suggestions on that point. In drawing the attention of the House to this question, he could not avoid touching on one point in the domain of political economy. It was frequently said that taxing the occupiers of rateable property, was, in fact, taxing the owners of such property, and that it was useless to attempt to relieve the occupiers by reducing the amount of the rates, because the only result of such a proceeding would be to put so much into the pockets of the landlords. He admitted that if these burdens upon property were paid by the owner, he should make the same objection to continuing to lay all new burdens upon one kind of property; but he did not believe they were taxing the owner in laying on additional rates upon houses in the East End of London. The occupiers of rateable property certainly thought that they were the parties most deeply interested, because every movement to increase the rates was always opposed by them, and Government also were evidently of opinion that the occupiers paid the rates, inasmuch as they had founded their Reform Bill on the supposition that the occupiers paid the rates. Hon. Members must bear in mind that there was a marked difference between the case of the owners of land and the occupiers of houses. In the case of rates upon land, it must be remembered that the taxed commodity could not be removed or increased, and that therefore any increase of rate fell upon the owner. But in the case of houses, though the house could not be removed when once built, the putting of capital into houses was optional, and would be affected by taxation on the commodity to be supplied. Adam Smith, Ricardo, and Mr. Mill all concurred in this, that the building rent in the case of houses was far more important than the ground rent, and that so far as rates fell on the building rent, so far they were borne by the occupier. Now, if that were true—if they came to that conclusion—the result would be that they were over-taxing one of the greatest necessaries of life of the working man. The fact was that the taxation of house property in London was reaching a point which most seriously hampered any improvements being effected in the dwelling-houses of the working classes. It was for this reason that he had gone into the political economy of the case. The question was—Did the occupier pay the rate or not? for if he did, he was now taxed up to a point which was preventing capital going into the building trade. The only margin lay in the quality of the house, and the builder would hesitate to invest his capital when he knew that the working classes could pay only a certain amount of rent, and that that would be absorbed by taxes. Where house property was taxed beyond a certain point, the quality of the house must deteriorate as compared with the rent paid. It was only possible for owners to make cottage property pay in the East End of London by neglecting sanitary arrangements, by permitting overcrowding, and by dealing with the property in a manner that was unsatisfactory and unprofitable to the community at large. It might be said that wages would rise, and would enable the working classes to pay the increased rents. But competition in other towns less heavily taxed prevented that, still it was easy to understand the reluctance of the working classes of the East End of London to work for less than a certain amount of wages; for they knew, and indeed alleged, that should they consent to do so, they would be unable to pay the heavy rents that were exacted from them. The present rate of taxation made it, in fact, a work of difficulty to house the population. He, for one, would not attempt to meet the difficulty at the public expense; but if anything could be done to re-adjust the taxation, the state of things might be improved; at all events, it would not be aggravated or made worse. If more money were wanted, it would not be possible to raise it by an increase of the rates. That source of revenue was clearly already exhausted. No more could be raised from rates than was raised now. Again he asked, where was the money to come from? He might ask, could Paris teach us anything? He was afraid not. Paris was extremely extravagant, spending £5,500,000 in one year as ordinary expenditure, besides £4,500,000 as extraordinary expenditure—that is to say, £10,000,000 in one year, or as much as our Board of Works would spend in ten. £4,000,000 of this were raised by taxes, which would be utterly impossible in this country—he meant the *octroi*. We had, it was true, a little *octroi* of our own, which Sir John Thwaites, thinking that the people paid more readily where the tax was indirect, and hidden from their eyes, was anxious to increase—namely, the Coal and Wine duties. But, apart from them, when they contrasted Paris with London would they consent to pay the same kind of *octroi* to anything like the same extent? ["No, no!"] People pointed to the magnificent improvements which had been effected in Paris; but they forgot that nearly every trade was being driven from that city in consequence of the enormous expenditure those alterations had occasioned, being met by a vast increase in the amount of taxation. After the *octroi*, Paris had another considerable source of revenue. They received more assistance from the Government than we had here. But, could we look for money in that direction? Would the State increase its contributions for municipal purposes? His right hon. Friend the Member for South Lancashire would be too vigilant a guardian of the public purse to permit that, though he (Mr. Goschen) thought the tax on hackney carriages might very well be given up for the benefit of the metropolis; but he much feared that we were shut out completely from Imperial assistance. But there was a third resource, though a small one, which Paris possessed. On certain taxes levied for Imperial purposes—such as the taxes on real and personal property, on licences, and on windows—a small percentage—a percentage added to and not deducted from the Imperial taxes went into the municipal treasury. He did not see how we could avail ourselves of similar resources, though possibly there was to be found in the idea the germ of a plan which might be feasible; but it was too distant at the present moment; and still they had to ask, where the money was to come from? He believed there was a Motion before the House for the continuance of the Coal and Wine duties. But the proceeds of those duties had already been mortgaged as far as the year 1882; and, consequently, if their continuance were guaranteed even for another ten years the sum raised would be very small—so small, indeed, that it would be swallowed up in the first improvements contemplated by the Metropolitan Board of Works, even if it should prove more than sufficient to defray the expenditure in connection with schemes—the Bills for which had already been read a first time in that House. Then came the proposal, which had been introduced two years before, that a rate should be made on the owners of rateable property in the metropolis. Now, that was a tax that would certainly relieve the occupiers to some extent—those, at all events, who possessed leases—though he doubted whether it would relieve those not so protected, who held from week to week or quarter to quarter. It was, however, a measure which appeared to be just in itself, and he felt sure that it would again come before the House. He thought it was but fair that those whose property would be benefited by the improvements should contribute towards the expense; and though it might be argued that the tenant received the more immediate advantage, and should therefore be the party liable, it was evident that in the majority of cases the metropolitan improvements conferred no immediate benefit either to the occupier or to the owner. He certainly could see no injustice in the proposal that those who derived enormous incomes from the metropolis should contribute towards the improvements that were necessary. A further measure would be to couple a slight increase of the rates with the equalization of the rates all over the metropolis. When a man paid 7*s.* in the pound, it was very difficult to get him to consent to the imposition of even an additional 1*d.*; but those whose rates amounted to only about 2*s.* 6*d.* or 3*s.* in the pound could bear an increase without any great hardship being inflicted. The difficulty arose from the East End being over-taxed, and that therefore you had no margin to deal with. He had heard it said that the middle and upper classes in the West End of the town on an average paid one-tenth of their income in the shape of house-rent. Taking the rates at 3*s.* in the pound, or 15 per cent on rent, it might be estimated that they contributed 1½ per cent of their incomes to municipal purposes; or rather, at the usual scale of assessment at two-thirds of the real value, 1 per cent only. On the other hand, an artizan or a working man in the East of London paid one-fifth of his income for house-rent. Out of perhaps 25*s.* a week he would have to pay 5*s.* at the least for what was oftentimes very inferior accommodation. The rates on that rent often amounted to 30 per cent; and it might be considered that a person thus situated paid 6 per cent of his income for municipal purposes, while 1 per cent only was paid at the West End. The rate, if equalized, would, he acknowledged, be high. It might be 3*s.* 9*d.*, or even 4*s.*, but then it should be remembered that every additional 1*d.* would yield a revenue of £67,000 a year. He would, however, ask if there should be only one kind of property liable to taxation to municipal purposes. Was it absolutely impossible that any other property besides house and land should be made to contribute to local taxes? He feared he should frighten the House if he allowed the words "municipal income-tax" to escape from his lips; but if the House declared that other kinds of property should not be made liable, he could not see how further metropolitan improvements could be effected. He did not for one moment wish to shift existing burdens from one shoulder to another; but the difficulty of finding where the money was to come from was one that they must face if they wished to see the carrying out of improvements which were generally acknowledged to be necessary. Some would, perhaps, say that immediately a special tax was imposed for improving the metropolis the desire for improvements would cease; but he did not think that feeling would be general, and even if it assumed any considerable proportions, there was still the impossibility of leaving London in its present state, staring them in the face. But the difficulty arose, how could a tax such as he had indicated be localized? He thought, if the principle were once accepted, that he could make a suggestion by which such a resource could be made available. If Parliament and the country should decide it to be just that a tax, say of 1*d.* should be levied upon income for municipal purposes, he would propose that it should be accepted, and the local community having been granted that 1*d.* should say to the State, "We have a tax that will be difficult for us to raise, and you have one of similar value which we could collect with ease. Suppose we exchange; we will give you that 1*d.* on the income tax to which you have assented as a just impost for municipal purposes, and do you give us the house duty." The house duty amounts to £1,000,000; 1*d.* on the income tax would amount to a little more, and the house tax could very well be collected by local authorities. If a disposition existed on the part of holders of property to contribute towards the improvement of the municipality in which their houses were situated, the plan he proposed could, he felt sure, be easily carried out. He had not placed upon the Paper any string of Resolutions, but trusted the House would acquit him of having been vague in that which he desired to effect. He had raised the question as to where the money was to be found, and he had done his best to answer it, and also to show that there had been a continuous increase in the burdens of rateable property. He had not embodied his views in Resolutions, because he had thought it better that the matter should be discussed as a whole, apart from any question of local polemics, and when the House could consider dispassionately what had been the expenditure of the Metropolitan Board, and what had been the return for it. They had come to the end of their resources, but they were only at the beginning of improvements which were absolutely necessary. They must make up their minds what was to be done, and where the money was to come from; and he trusted the House would not allow any financial difficulties to block the way of those progressive improvements in the metropolis which the omission of former callous and improvident generations had imposed as a paramount duty upon a more prosperous, but also, he trusted, a more humane and conscientious age.

Colonel HOGG thanked the right hon. Gentleman for the manner in which he had brought this question before the House, and said, that he was sure that the ratepayers of the metropolis were greatly indebted to him for the manner in which he had alluded to the unequal incidence of taxation upon them. The Metropolitan Board had had their attention directed to the matter, and last Session they brought in a Bill in reference to it, and he hoped that on a future occasion they would succeed in remedying the evils that existed. He quite concurred that the owners of property should bear a certain proportion of the necessary taxation, and the Bill of last year went a long way in that direction. Respecting the sums raised by the Metropolitan Board, it appeared that since its formation, eleven years ago, it had spent £11,646,972, including loans for works not yet completed. Of this, £98,457 was raised in its first year—1856—amounting to 2¼*d.* in the pound of rateable property; in 1866, £391,897, or 6½*d.* in the pound was raised; and last year the total revenue of the Board was £455,358, or 7½*d.* in the pound. In 1856 the rateable property in the metropolis was valued at £11,283,663; in 1866 it was £14,524,542; so that if rates had increased, the power of bearing them had increased in a greater ratio. Then, comparing London with Paris, he found that the city of Paris paid £3 2*s.* 10*d.* per head by indirect taxation, independently of 17*s.* 4*d.* levied by the State, while Londoners paid only £1 per head. If it were said that taxation was increasing, what was got for the additional taxation certainly should be looked at. The works under the control of the Board had materially improved the City; the Thames Embankment was progressing satisfactorily; the Main Drainage would shortly be finished; and it was satisfactory to know that during the last ten years the mortality had decreased 10 per cent, and the water of the Thames had become much more pure and wholesome. In addition, the Board had constructed Southwark Street, Garrick Street, removed Middle Row, and made many other improvements too numerous to mention; they had also formed Finsbury, Southwark, and other Parks. The expenses of the Board had been remarked upon; but in considering those items it should be remembered that a great many duties had been imposed upon the Board by Parliament, which had tended materially to swell them to their present proportions; not the least expensive among these new offices were duties connected with the suppression of the cattle plague, others relating to gas, and the control of the Fire Brigade. Respecting the Fire Brigade, it was only necessary to compare its present condition with its state eighteen months ago to ascertain what the Board had done for it. Not only had its general efficiency been advanced, but its engines had been increased from 36 to 111, the number of floating engines had been increased, and other steps had been taken to ensure the greater efficiency of the Brigade. He mentioned these particulars, not as matter of complaint against the right hon. Gentleman, who had dealt with the subject in a most temperate manner, but merely in justice to the Board. The right hon. Gentleman complained of the manner in which the accounts of the Metropolitan Board of Works were made up. He could only tell the right hon. Gentleman that those accounts were made up in accordance with the Act of Parliament; so that if there was any fault in the matter it lay at the door of the House of Commons, and not at that of the Board. He could assure the House that the Board were most anxious to discharge their duties efficiently, and to promote, as far as it was in their power to do so, the improvement of the metropolis; and if the right hon. Gentleman would only give them the benefit of his experience in accounts, they would be very happy to give every consideration to his suggestions.

COLONEL SYKES, as a resident in the metropolis for over thirty years, had been unhappily compelled to feel the system of taxation to which his right hon. Friend the Member for London (Mr. Goschen) had called the attention of the House. He had been induced to inquire into the receipts of the Metropolitan Board of Works for several years past; and, as he had been unable to comprehend the annual statement of accounts issued by that body, he had intended last year to call the attention of the House to the constitution of the Board of Works, its powers, and its mode of raising money for metropolitan improvements, with the view of showing that the latter was unsatisfactory, and that the subject ought to be referred to a Select Committee. As a preliminary to that step, he moved for a Return which he now held in his hand; but the difficulties were so great that it was not until after the lapse of a considerable time, and till the Home Secretary exercised in a proper manner the power vested in him, that this Return was made up and laid before the House. The reluctance with which the document had been furnished led him to think that it must have been about as agreeable to the Chairman of the Board as the extraction of a tooth was to most people. The Return showed some extraordinary facts with regard to receipts and expenditure. The Metropolitan Board of Works was constituted of deputies from the various vestries of the metropolis. These gentlemen met together one day in a week, and levied any amount of taxation they pleased, and the House could not at all interfere. If the vestries did not send in their respective shares of the amount so levied, the Board had power to compel payment of the money. This taxation had become so serious a matter that it was now a crushing weight on the lower class of ratepayers, and could not be continued. The manner in which it had gone on increasing was extraordinary. In 1856 the precepts, or rate, levied on the City of London amounted to £5,550, and they had since been gradually swelling until in 1866 they amounted to £13,680, or an increase approaching 300 per cent. In Marylebone, the increase was from £4,609 in 1856 to £11,599 in 1866; and in Paddington from £2,427 to £7,855, or 314 per cent. In Shoreditch nothing was collected in 1856, but in 1857, £1,070 was obtained, and in 1866, £4,034, nearly 400 per cent; in St. Matthew, Bethnal Green, nothing could be obtained in 1856, but £304 10*s.* 2*d.* was received in 1857, and in 1866 that amount had swollen to

£2,200, above 600 per cent; and in St. John's, Clerkenwell, the very focus of the labouring poor, nothing was obtained in 1856, but in the following year, £1,161 6*s.* 3*d.* was collected, and the amount in 1866 was £2,595 18*s.* 7*d.* The total amount received by the Board, including loans, had been £11,056,099 1*s.* 6*d.*, or about £1,000,000 a year. How was the money spent? He admitted that the Board had done good things: it had done great good, no doubt, in the Main Drainage; but one of its operations had been to make a very remarkable increase in the salaries of its officers. In 1856 the Chairman, Sir John Thwaites, got £1,500 a year, and now he had £2,000, an increase of £500 per annum. In the Clerk's department, the name of the first man that met his eye, Mr. Pollard, Clerk of the Board, represented an increase of £450 upon £350 a year, and there were twelve more clerks who had each had an increase. Mr. Bazalgette the Engineer commenced with a salary of £1,000, and now had £2,200. [Lord JOHN MANNERS: Hear, hear!] The noble Lord cried "Hear, hear!" He must tell him the ratepayers reciprocated the cry in a very different sense. Three other gentlemen, Messrs. Lovick, Grant, and Cooper, had had their salaries raised from £350 to £1,000 per annum. This had reference to the Engineer's department: and there were nineteen other persons whose salaries had been increased, varying from £75 to £286 4*s.* per annum. In the Architect's department (thirteen persons), every individual but one had his salary increased—Mr. Vuliamy from £800 to £1,000 per annum. In the Solicitor's office, eight persons are employed, and the salary of Mr. W. W. Smith, the Solicitor, has been raised from £1,000 to £1,250 per annum. In fact, the annual salary of seventy-two persons has been permanently increased at the cost of the ratepayers, besides the increase of the daily or weekly pay of many, many others. He did not object to a fair increase for length of service; but when he found that salaries were increased by more than 100 per cent, it made him remember that he had been 16 years in the public service before he got an increase—before he got a company. But then he had been only a poor subaltern, and not a clerk in the Metropolitan Board of Works. The portion of the Embankment from Waterloo to Whitehall was contracted for by Mr. Furness for the sum of £520,000, and was to have been completed last August twelvemonth; but Mr. Furness became bankrupt and the work was suspended. It appeared that Mr. Furness went through the Bankruptcy Court, and that he made statements there which raised a storm in the Metropolitan Board of Works. In passing up and down the river, after the bankruptcy of Mr. Furness, the hon. Member said he had occasion to remark what a limited number of persons were engaged upon the Embankment, and how little they seemed to have to do; nevertheless, in the accounts he found that credit was given for extra time in 1865-6 and 1866-7, to no less than eighty-seven persons in 1865-6, and ninety-two in 1866-7; some called assistant clerks, some special clerks or clerks of the works, and some draughtsmen; but he was told that some of the so-called clerks of the works were merely masons. Security was taken for the completion of the works by Mr. Furness, and it became important to know what had become of these securities, and whether the amount for which they rendered themselves liable had been paid. As far as the execution of the work had proceeded, he had nothing to say against it; it was handsome, substantial, and in good taste, and it appeared that £378,634 out of the £520,000 had actually been expended. The complaint which he made with regard to the Report was, there was a want of openness and ingenuousness, and that all these facts were not plainly stated; nothing was said of Mr. Furness's bankruptcy, nothing about his securities, and nothing about the suspension of the works between Westminster and Waterloo Bridges. It would seem that the Metropolitan District Railway, from want of funds, were not able to complete their authorized portion of the works upon the Embankment, and that the Metropolitan Board of Works would neither lend them money for the purpose, nor, in the absence of these railway works, would they complete them themselves. A report of the proceedings of the Metropolitan Board of Works appeared upon this subject in *The Times* of Saturday, 25th January, 1868. He wished to know how long matters were thus to remain at a dead lock, to the damage of the public interests, and whether pressure upon the part of the House would not be brought to bear? Was the Metropolitan Board of Works to be allowed to refrain from carrying into effect all such arrangements as had been made, and would not the House compel the Board to see that the contract for the railway was proceeded with? The House would learn with surprise that the Board had borrowed in ten years £6,827,000; and that at this moment the outstanding sums against the Metropolitan Board amounted to £5,513,266 13*s*. 4*d*. Where was that money to come from? Were they to have a permanent rate? and why should they call upon living people to pay that deficiency? Why were we to pay for the comfort, convenience, and health of people yet unborn? If money was to be borrowed for the purpose of these improvements, why should not the rate be raised by annuities to extend over 100 years? The Metropolitan Board of Works was practically an irresponsible and despotic body; its patronage was enormous; it had the stomach of the cormorant, and was endeavouring to acquire and to absorb every other power in the metropolis. It had clutched the Fire Brigade and Fire Escape Establishments, and was aiming at the Gas Companies; it was, in fact, an *imperium in imperio*, which ought not to exist to tax at pleasure the 3,000,000 of the population of London.

MR. AYRTON said, that the Members of the Select Committee appointed two years ago to inquire into this subject must feel extremely gratified at the speech of his right hon. Friend, who had so cordially endorsed their opinions and recommendations. A Member of the present Government, having served upon that Committee, having devoted a great deal of time and attention to the subject, and having concurred in the conclusions at which the Committee arrived, he had been led to hope that steps would be taken by the Government to give effect to the recommendations of that Committee. Unfortunately, at the close of last Session the House found itself very nearly at the point from which it had started. His object on the present occasion was to draw some practical conclusions from the excellent remarks of his right hon. Friend. He quite concurred with his right hon. Friend that it would be contrary to any recognized principle of taxation to continue a tax like the Coal tax, and thus to give to the Metropolitan Board of Works the power of making a charge which was not to take effect immediately but at the expiration of many years. If one principle had been insisted upon more than another it was that nobody should be allowed to raise money, unless the incidence of the loan took place immediately, and the infraction of that principle by the Board of Works would be fraught with the greatest danger, as it would encourage extravagance and withdraw the conduct of the Board from immediate observation. Impressed with this belief, his right hon. Friend had pointed out the necessity of finding some other source of taxation. This question had been discussed on several occasions, and the House had repeatedly affirmed and acted upon the view put forward respecting local taxation in the Report to which allusion had been made. Parliament had frequently recognized the principle that whenever a new charge was imposed, which came as it were by surprise on the occupiers of property, a portion of such charge ought to be borne by the owners. When he, as a private Member, introduced his Bill, all those stipendiary agencies of agitation, which were so well known to persons connected with the politics of the metropolis were immediately hired and set in motion, for the purpose of misrepresenting everything he had done or desired to do, and everything which the Committee had recommended. Meetings were got up, and men hired at 2*s*. a head to attend them, in order to represent the opinions of the great owners of property and the persons of influence and station in the metropolis. These people entered their protest against the owners of property being subjected to taxation at the instance of a private Member of the House of Commons, and having voted retired to publichouses, where they received their reward. Then advertisements were inserted in the newspapers to give an impressive character to resolutions arrived at by this contrived machinery, and circulars denouncing the Bill were widely distributed. The most violent opposition proceeded from the Corporation of the City of London. Now he wished to direct attention to the circumstance that after the Report was presented, the Corporation of the City of London took it into their serious consideration, and were so impressed with the justice of the views it contained that in the beginning of last Session they themselves introduced a Bill to empower them to levy a rate of 6*d*. in the pound on the owners of property. That Bill was most properly submitted to the Committee, which was reappointed for the purpose of taking it into consideration. The Committee, however, came to the conclusion that the provisions of the Bill were extremely unjust to the owners of property in the City; as, if there were to be taxation for the general improvement, it would be a hard thing that, in addition to the ordinary taxation, the owners of property in the City should be subjected to an additional tax of 6*d.* in the pound to be applied by the Corporation. Accordingly that Bill was dropped, but no sooner had the Committee declared that it was inexpedient to levy 6*d.* in the pound than the Corporation, by every contrivance in their power, proclaimed the immense injustice of levying 3*d.* or 4*d.*, which was the maximum of any rate to be levied uniformly through the whole metropolis. No private Member had any chance of successfully opposing the Corporation of the City of London, and it was therefore hopeless for him to proceed with his measure. But what was the present position of the question? The hon. and gallant Member for Bath (Colonel Hogg) who represented the wealthiest parish in London at the Board of Works, had this evening acquiesced in the expediency of the scheme which he had suggested, and his right hon. Friend the Member for the City (Mr. Goschen) had explained to the House the principles on which a tax should be based. Under these circumstances, it was a duty imperative on the Chancellor of the Exchequer to take into his own hands a question of such vital importance as the regulation of what might be termed the general finances of the metropolis. The metropolis was already under a great obligation to the right hon. Gentleman, because some years ago, at a critical period of metropolitan finance, he took a very wise view of the situation of affairs. The right hon. Gentleman said it would be better that he should himself deal with the finances, and show how the funds could be raised, after which the task of carrying out the works necessary for the public might be remitted to the Metropolitan Board. And the right hon. Gentleman had been amply rewarded for the course he took, as experience showed that he had saved the metropolis from the extravagant waste of no less than £5,000,000. Encouraged by what he did then, the Chancellor of the Exchequer ought to take this matter into his own consideration, in which event he would doubtless receive the support of the House. At present the finances of the metropolis were in the same state as the English finances were before Mr. Pitt established the Consolidated Fund. In the Committee he devoted much time to unravelling the accounts of the Board of Works extending over ten years, and he believed the Report gave a clear statement of the income and expenditure during that period. The result of the present system of finance was that you had a Board, with the credit of the whole metropolis at its back, going about raising loans like a second-class railway company at a rate of interest which was perfectly extravagant when you considered the security. The proper mode of raising money was not to have separate debts chargeable on particular funds, but to have one consolidated debt applicable to the whole metropolis. If the question were taken up by the Government in a large and comprehensive manner, he had no hesitation in saying that money could be borrowed at no higher a rate of interest than 3½ per cent. A debt borrowed upon the whole property of the metropolis would certainly have as good a security as the Consols of the country. If they borrowed money to be re-paid by instalment in thirty years, the annual payments would be reduced to a reasonable sum. There was, however, no analogy between the taxation of London and Paris. In Paris there was a complex system entirely different from our own. For instance, taxation on property in France did not mean fixed property only, but included moveables, and the produce of certain taxes was distributed throughout the country in aid of local resources. The *octroi* was not peculiar to Paris, but extended throughout the entire municipal system of France. Again, the duties of the municipality of Paris were much larger than those performed by the municipality here. There was only one administration, which not only included all the expenditure upon roads, lighting, police, and improvements, but embraced education and poor relief. He had always urged the consolidation of our administration as far as possible, and a reduction in the vast number of officials who were maintained by the present system. In every district you had two Boards, two sets of officials, double sets of collectors, who largely enhanced the cost of administration. He hoped, in conclusion, that some benefit would arise from the discussion, and that the Government would adopt the policy which the late Government were prepared to have adopted—take the subject of metropolitan finance into their own hands, and thus bring it before the House with all the authority which was necessary for dealing with it.

MR. NEVILLE-GRENVILLE assured the right hon. Gentleman that the feeling that rates were bearing more than their due weight was not confined to London and its vicinity, but extended throughout every county. In the country they had their fears, not only that there would be an education rate, but that the keeping of turnpike-roads and other burdens would be thrown upon the already overburdened ratepayers. If the rates of this metropolis were to be supplemented by a new tax, as was suggested, the people in the country naturally feared that the same course would be pursued in respect to them, and that an Imperial tax would supplement the rates with which they were at present oppressed. He should feel it his duty to offer every resistance to any plan which would have the effect of imposing additional burdens upon the occupiers of rateable property in the country.

MR. HARVEY LEWIS said, the discussion had shown that the limits of taxation in this metropolis had been reached. From personal experience, he knew that the amount of suffering and distress arising from the increased taxation placed upon the already overburdened taxpayers had become intolerable. In his opinion taxation ought to be imposed according to the capabilities of the poorest parishes. He knew that many and many a ratepayer could only pay the imposts upon him by hard work and the greatest self-denial, and it was very unfair to increase the difficulties of that class of persons. As it was manifest that those who were to come after us would derive a much greater benefit than we could hope to do from any improvements which might be effected, it was only right that they should defray some portion of the expense, and that the present occupiers should not have to bear the entire heat and burden of the day. The whole question of taxation ought to dealt with in a comprehensive manner, so as to do justice to the metropolis and to the country at large. He had had so many representations made to him on the subject that he felt bound to say that any increase of taxation would press most severely on the taxpayers of the metropolis. Even the wealthiest parishes contained many poor, and they ought to be considered as well as the rich.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Eight o'clock, till Monday next.

HOUSE OF LORDS,

Monday, February 24, 1868.

MINUTES.]—SELECT COMMITTEE — On Private Bills *appointed;* on Opposed Private Bills *appointed.*

PUBLIC BILLS—*First Reading*—Court of Appeal Chancery (Despatch of Business) Amendment (20); Tenure (Ireland) (23); Public Departments (Extra Receipts) * (25).

Second Reading — Habeas Corpus Suspension (Ireland) Act Continuance (18).

NAVY—IRON BALLAST IN THE DOCKYARDS.—OBSERVATIONS.

THE DUKE OF SOMERSET said, their Lordships would probably remember that about a year ago much was said about a quantity of iron ballast that was used for paving the dockyards, and of the great waste this was to the public service. He understood that this iron ballast had since been offered for sale; and with a view to ascertain the value of the iron, it was his intention to move on Thursday next for a Return of the number of tons of iron sold, and of the amount of money received for them and paid into the Treasury.

COURT OF APPEAL, CHANCERY (DESPATCH OF BUSINESS) AMENDMENT BILL—[H.L.].

PRESENTED. FIRST READING.

LORD ST. LEONARDS said, the Act which the Legislature passed last year, to enable the Lords Justices to sit separately to hear appeals against decisions of the Master of the Rolls and the Vice Chancellors in certain cases, had led to some difficulty. By the Act constituting the Court of Appeal, the Court was formed of the Lord Chancellor and the two Judges of Appeal. The Court has the jurisdiction of the Lord Chancellor, and an appeal lies to the House of Lords. The Lord Chancellor and the two Judges may, of course, sit together, or the Lord Chancellor may sit with one Judge, or the two Judges may sit without the Chancellor. The jurisdiction of the Lord Chancellor is reserved, so that he may hear appeals alone. The pressure of business was such that last year a Bill was passed in effect authorizing either of the two Judges to exercise the jurisdiction under the original Act, provided that no decree made on the hearing of a cause, or on further directions, shall be re-heard before the said Judges when sitting alone.

The object of the proviso was to prevent a single Judge of Appeal from hearing an appeal from another single Judge of a Court below where the cause had been regularly heard. It did not occur to the framers of this Bill that between the two Acts before referred to another Act had been passed, which enabled suitors, instead of resorting to the old practice of what is termed bringing a cause to a regular hearing, to move for a decree or decretal order, and thus save both time and money; and, where the motion is granted, the cause is as regularly heard as if the old practice had been resorted to. An appeal was soon brought to a hearing from a decree upon motion, and it was the opinion of the Judges that it could be heard by a single Judge of Appeal sitting alone. This was manifestly contrary to the principle of the new Act, and to give effect to the intention of the Legislature he had prepared a short Bill extending the proviso to decrees and decretal orders upon motion in like manner, as if they had been made on the hearing of a cause or on further directions.

THE LORD CHANCELLOR said, the practice arose from the words of the Act. It was quite true that the Lords Justices and himself, when a question arose on the matter, came to the conclusion that the Lords Justices might hear separately appeals against decisions made on motions for decree; but he had some doubt on the construction of the Act. It was very desirable to have those doubts removed, which would be done by the Bill of his noble and learned Friend, which, besides, had the great merit of being extremely short.

A Bill to amend an Act to make further Provision for the Despatch of Business in the Court of Appeal in Chancery—Was *presented* by The Lord ST. LEONARDS; read 1ª. (No. 20.)

TENURE (IRELAND) BILL—[H.L.]

PRESENTED. FIRST READING.

THE MARQUESS OF CLANRICARDE, rose to call the attention of the House to the question of land tenure in Ireland. He commenced by referring to the Select Committee of their Lordships' House, to which his Bill of last year upon this subject was referred. In the month of July, that Committee unanimously determined to issue an imperfect Report, and to recommend its own re-appointment this Session, in order that the inquiry might be resumed. The language of the Report was—

> "The subject-matter of the Bill is, however, of so much complexity and difficulty that they are of opinion that it is not possible for them, in the short period of the Session now remaining, to make such progress in it as to warrant them in recommending it at present for your Lordships' adoption. The Committee have therefore determined to report the evidence, together with the Bill in its necessarily incomplete state, and to recommend that the Committee be re-appointed at as early a period of next Session as practicable for the purpose of further considering it."

He did not recollect that any objection was made by any Member of the Committee to that recommendation, which was moved by the noble Earl who represented the Government. He might say, however, that some Members of the Committee were of opinion that it would be well to draw particular attention to some of the statements made in the evidence, and to the conclusions to be deduced from them. A draft Report was prepared, and he should have been glad if it could have been laid before the House. One clause of the draft Report was as follows—

> "The Committee again direct your Lordships' best attention to the entire evidence as now reported, and upon which they will not further enlarge. A correct knowledge of the present condition of the country is necessary in order to guide safely to future legislation. The assertions so often reiterated, to the effect that the tenant makes all the permanent improvements in Ireland, that the rents are extravagantly high, that a competition for land is encouraged by offering it to the highest bidder at the expiration of a tenancy, that evictions and changes of tenure are of frequent occurrence, that no general improvement is taking place, and that a bad feeling commonly exists between landlords and tenants, will probably receive correction from its perusal."

It was to be regretted that this clause was not published along with the evidence. What, he asked, was the condition of Ireland now? There never was a time when it was less necessary to take extraordinary and novel action, with respect to the subject of land in Ireland, than existed at the present moment. The condition of neither landlords nor tenants presented any extraordinary difficulty, and it was only the condemnation of the existing law by Judges of the highest authority, and differences of opinion among them that created litigation and directed attention to its amendment. The evidence taken by the Select Committee of their Lordships which sat last year plainly showed the gross injustice, exaggeration, and absurdity of the statements made by agitators as to exorbitant rents exacted by landlords, and frequency of evictions in Ireland. It was not to be said that evictions never occurred; but it had been shown that they were by no means so common as had been represented. Among other things it was shown that upon four estates, the rental of which amounted to £54,000, the landlords had expended, exclusive of money borrowed under the Drainage Act, no less than £142,000. A great deal had been said about tenant-right, and he desired to say nothing against tenant-right as it existed in the North of Ireland; but the schemes of many of those who designated themselves advocates of tenant-right no more resembled the system of things which existed in the North of Ireland than did the laws as to landed property in the moon, if there were landed property, and laws regulating it, in that planet. The assertion was often made that if tenant-right existed in the South of Ireland there would be no evictions; but the Returns which were obtained by the Earl of Belmore, although the information they furnished was not perfectly accurate as to the number of evictions which really took place, showed at least that tenant-right had little or nothing to do with their frequency or infrequency. He would compare two counties in the North of Ireland—Antrim and Armagh—in which tenant-right prevailed, with two counties in the South—Cork and Clare. During the five years ending with 1865, the number of civil bill ejectments in the county of Antrim, with a population of 378,585, was 1,101; while in Cork, with a population of 544,818, they numbered only 1,483. In the county of Armagh, with a population of 190,086, the number of civil bill ejectments during the five years was 1,344; and in Clare, with a population of 166,395, it was only 781. The last volume of the judicial statistics exhibited facts which were equally remarkable. It was generally said that Ulster was a very prosperous province, and that Munster and Connaught were in a state of great misery and poverty. Now, he could not altogether admit the accuracy of such statements, for if their Lordships would look at the judicial statistics for 1866 they would find that there were in the province of Ulster 1,190 ejectments during the year, while in Munster there were only 771, and in Connaught only 619. Thus it would be seen that ejectments were more frequent in those parts of the country where tenant-right prevailed than in those where it did not. If any rule of political economy was admitted to be sounder than another, it was that the introduction of capital into a poor country would increase its prosperity, by increasing labour and giving means of living to the population, and it was one of the arguments put forward in favour of limited liability that it would enable companies to provide by association large capital which was necessary to make improvements in any business and in any country. What, however, would be the effect of the revolutionary propositions which had been made by Mr. Bright and Mr. Mill with respect to the mode of dealing with land in Ireland? Their propositions amounted to neither more nor less than to turn out all the men of capital in Ireland, in order to put in a class of peasant proprietors who had no capital. One proposal was that every tenant of a small holding should have a lease of sixty years as against his landlord, while the occupiers of large farms at high rents were to have a lease of sixty years imposed upon them. It was said that the carrying out of such a scheme would confer great benefits on the country. Such a proposition was absurd. Indeed, it was generally acknowledged, as could be proved by the evidence of men who knew the country well, that in many parts of Ireland the tenants were not much in favour of obtaining leases at all, and certainly would not consent to pay anything for them. But supposing for a moment the proposition for the purchase of the land of Ireland by the Government were entertained, what, he asked, would be the condition of the farmers? He believed the notion of those who wished to disturb the present system was that the holdings of the farmers of Ireland were all very small, varying from thirty acres to half an acre. He should like to hear the notion of the Government with respect to the manner in which the large farmers could be dealt with. Was the House aware that one family alone in Ireland paid from £30,000 to £40,000, and indeed he believed from £40,000 to £50,000 a year in the shape of rent for their holdings? Were the Government prepared to call upon tenants with such a holding to purchase it at the rate of twenty years' purchase? Why it would amount to £1,000,000. How could they expect one family to procure such a sum? The accounts they had as to the resources of the Irish tenantry were extremely contradictory. One day they were told that they were in a state of pauperism, and next day they were informed that they had £17,000,000 in the bank. It was well known that the effect of breaking up large holdings, and allowing the land to pass into the possession of small proprietors, was to increase the rents, whereas the large landed proprietors were content with smaller rents, and yet a proposition was gravely put forward to oust the great landlords in order to create a class who would infallibly raise rents upon tenants. He would now direct the attention of their Lordships to a very gratifying account of the improvements being made in Ireland. It was contained in a Report made by Mr. Adams, the American Minister, to his Government in September, 1865. That Report referred chiefly to a tour through the North of Ireland; but the remarks of Mr. Adams were also applicable in a modified form to the central and eastern portions of the country. He said—

> "I have not seen anywhere in England more indications of comfort, plenty, and general good condition than are to be found in that portion of the northern province through which I have passed. Neither did I observe in the populous towns more instances of poverty and destitution than are to be met with anywhere in corresponding places in the three kingdoms, with the exception, perhaps, of North Wales. The same observation may be made, but in a much more qualified degree, of the central and eastern region, including Dublin and its vicinity. Although the prosperity is not so much marked, and the poverty is more apparent, the aspect of the dwellings, the cultivation of the lands, and the substantial condition of the middle classes all combine to disprove the presence of suffering much beyond the average in most nations of the Old World."

The wretchedness that Mr. Lawrence described, instead of being universal, appeared to be confined to one portion of the island. He thought that after such a statement as that, they might dispose at once of the revolutionary propositions which had been made to forcibly deprive the landlords of their existing right of ownership. Mr. Mill had suggested that there should be a Commission appointed to value all the landed property in Ireland; but the labours of such a Commission must necessarily be very protracted, as the number of holdings in that country was no less than 600,000, according to the estimates of the best statisticians. He understood Mr. Bright's proposition to be that the tenant, on being converted into a proprietor, should pay the present landlord the full value of the land. If this was so, he apprehended the tenant would have a very bad bargain; for according to Mr. Bright's plan, no one was to hold land but an occupier. But, suppose one of those occupiers, having become a proprietor, made money and wanted to sell his land, if he was to be restricted to a market in which all the intending purchasers were occupiers, it was clear that he would be obliged to sell at a depreciated price that for which he himself had paid the full value. They were told that occupying proprietors were the best farmers in the world; but he would ask their Lordships whether that class of agriculturists were the farmers who had improved the breed of cattle, or who had introduced steam ploughs and steam thrashing machines, and made those other improvements in farming which had rendered the soil more productive with a less expenditure of manual labour? Mr. Mill had justified his proposition for the establishment of a peasant proprietary by the example of Belgium. If, however, they turned to that country they found that the principal portion of the agricultural work was performed by women, and there was no sign of the energetic improvement by the expenditure of capital in the application of steam or other machinery, such as was evinced in Ireland. Through whose instrumentality, he asked, was it that the steam plough, steam thrashing machines, and improved agricultural implements which were now to be seen in Ireland had been introduced? Could anybody deny that it was the doing of the landlords? In Belgium they might perhaps see in a whole village one single horse thrashing machine, while all the other agricultural implements were of the rudest character; yet the Belgian peasantry were held up as being superior to English and Irish farmers. He had avoided going into the question of the political condition of Ireland; but before sitting down he thought it right to say that Ireland never had been more free from agrarian disturbance than she had during the last year. The absence of crime in Ireland was really marvellous, not by comparison with the state of things in that country at any former period, but by comparison with the state of things among any other population of equal numbers in any other country on earth. He thought that the Minister whose duty it would be to ask their Lordships to continue the suspension of the Habeas Corpus Act would tell them that only very few of the farming class had identified themselves with the Fenian movement. Undoubtedly it was alleged that some of the farmers had shown a certain amount of sympathy with the Fenians; that they had taken no active part in apprehending offenders and endeavouring to put down the movement. But let their Lordships just consider the temptations of such sympathy to which the people in the rural districts were exposed. These were temptations which it was hard for those who were subjected to them to entirely resist. The small farmers were told by agitators, and read in the papers, that they were going to be put in possession as proprietors of the land which they now farmed and paid rent for. Some such conversation as this took place — "Did you hear the good news? You are going to be put into possession of the land. You need not trouble yourself much longer about the rent." "How is that?" "The philosophers in England have found out that the tenants ought to have the land, and the Government are going to give it to you. It is all owing to the Fenians." "How can that be? I read in the paper the other day that the heads of the Fenians in America were selling our land, and I was thinking to myself whether I'd like my Yankee landlord as well as my Irish one." "Oh, that's not it at all. The English Government are so frightened about the Fenians that they are going to give you the land and put an end to the rebellion." It was not unnatural that the tenant farmers to whom such news was communicated should say "More luck to the Fenians." To put an end to such delusions his Bill, or some measure like it, ought to be passed by Parliament. He believed there was no honest man, whether landlord or tenant, who did not feel that the tenant ought to be fully compensated for any improvements he made in the land, and should be protected in his holding so far as was consistent with a due regard for the rights of the landlord and with the proper cultivation of the Irish soil. There was no occasion for a revolution. This year rents had been easily collected and most cheerfully paid in Ireland; profits had been made by the farmers; and this year the landlords had had less trouble than, perhaps, at any former period. If Parliament only endeavoured to improve the system of letting by such means as he ventured to submit for their Lordships' consideration, he felt no doubt that Ireland would progress, and the tenants would become contented and happy. The noble Marquess concluded by moving the first reading of his Bill.

LORD ST. LEONARDS said, he had no desire to enter upon a discussion on the Irish land question. There was no question before the House, and no conclusion could be come to. He, however, thought this was a very good time to promote any measure to remove, as far as possible, any objection to the existing relations between landlord and tenant in that country. But he must call their Lordships' attention to the fact that the evidence taken on this subject disclosed a very different state of things from that which was generally supposed to exist. From that evidence it would appear that landlords and tenants were on the best terms. It also showed that the landlords laid out many thousands of pounds in building houses and making other improvements which tended to the advantage and comfort of the tenants. There was no doubt, however, of the existence of much agitation on the land question. There was a feeling of uneasiness which must prevent things from going right if there was no other obstacle to their doing so. But before the Bill of the noble Marquess came on for a second reading, it would be well to consider if provision had not already been made by Parliament for what this Bill sought to effect. So late as 1860 two Acts were passed, one in relation to the tenure of land in Ireland, and the other having more direct reference to the relations between landlord and tenant in that country. They had a common design, though their provisions were different. It appeared to him that nothing had occurred since 1860 with reference to the tenancy of land in Ireland to make further legislation necessary, unless it could be shown that the Acts now on the statute book did not reach every difficulty. The first of the Acts to which he referred provided for improvements by the landlord and for improvements by the tenant, and it contained provisions for the acquiring of leases. The Bill introduced by the noble Marquess did not provide for more, except as regards binding remaindermen by the grants of tenants for life, which will require great consideration. The other Act of 1860 was not only valuable for its own provisions, but as a digest, admirably made, of the existing law between landlord and tenant, and a schedule of every previous Act repealed or affected by that Act. The date and chapter were carefully given in every instance. But what did the present Bill propose? By a single provision, and without any express reference whatever, it proposed to unsettle the whole of the existing law. Before dealing with the question in such a spirit, the defects, if any, existing in these two Acts of 1860, which professed, and did, in fact, attempt, to make a regular and business-like settlement between landlord and tenant, ought to be pointed out. If, therefore, this Bill were referred—as he presumed it would be—to a Select Committee, he hoped the noble Marquess would be prepared to point out in what respects those Acts of 1860 had failed. It was proposed that all the lettings in Ireland should be by lease, or, at least, that the conditions of tenure should be reduced to writing. But there were tens of thousands of tenants in Ireland who would not take a lease, because they would not incur the necessary expense. A gentleman was examined before the Select Committee upon this very question, and stated that he had got in his office a high pile of leases and counterparts, all duly executed by both landlords and tenants, but he could get nobody to take them away because they would not pay the expense which had been incurred in stamping them. Their Lordships might, perhaps, gather from this story what was the reason why the Act of 1860 had failed. Yet the noble Marquess proposed to repeat the same enactment, and to enforce it by a singular penalty. Because there were tenants that would not take leases the noble Marquess proposed to punish their landlords, by depriving them of the simple remedy he proposed to create, and by making them have recourse to more expensive tribunals. The reason a tenant was unwilling to accept a lease was plain enough. "If I take a lease for twenty years," he reasoned, "the landlord will know as well as I do when the term expires, and will insist on a re-valuation; but if I am only a tenant from year to year, my family and I will remain on at the same rate, and he will think nothing whatever about it." One of the most extraordinary provisions contained in the Bill, however, was that with regard to the planting of trees, which were to become the property of the tenant if planted under certain conditions, one of these being that there should still be seven years unexpired of his lease, or one life in the lease remaining — a life which might at that very time be eighty or ninety years old. Let any noble Lord say how he would like to get up some morning and find a tenant planting oak trees all over his estate, which the tenant might either cut down or sell on the expiration of his tenancy. The noble Lord then referred to the mode in which leases and compensations are managed in England; it was worthy of consideration whether the plan might not work well in Ireland. He disclaimed any intention to force upon Ireland a plan merely because it operated well in England.

THE EARL OF KIMBERLEY, as a Member of the Committee which considered his noble Friend's Bill last Session, said, he desired to say a few words, not only on the present Bill, which resembled that of last year, but also to speak on the subject generally. The noble and learned Lord who had last spoken had done good service in calling attention to the difficulty which would arise in endeavouring to create a complete code of law as regards land in Ireland. Without careful examination the new enactment would clash with existing laws, which should be repealed, if it were desired to repeal them, not by general words, but by express provisions. Those not learned in the law who were on last year's Committee had considerable difficulty—he himself found insuperable difficulty—in drawing repealing clauses. He did not know whether his noble Friend (the Marquess of Clanricarde) had ever fully stated the provisions of his Bill; but he would doubtless forgive him if he gave his view of them. The Bill had four objects, setting aside subsidiary provisions. In the first place, it provided that all agreements for letting farm lands should, as far as possible, be in writing. His noble and learned Friend (Lord St. Leonards) would pardon him for saying that he had fallen into an error when discussing this part of the Bill, because he argued as if the Bill required the granting of leases, and by "leases" he evidently meant agreements for a term of years. The Bill, however, did not propose to force such agreements upon either landlord or tenant, but simply required that all land, whether let for a term of years, or only from year to year, or even for a shorter time than a year, should be let under an agreement reduced to writing, and that if no agreement in writing was come to within a certain period then the landlord should be able to take advantage of that special procedure created by the Bill, which might be described as its second set of provisions. These proposed that a Court should be established, simple in its procedure, to which all differences between landlord and tenant should be taken. The third object of the Bill was to enable landlords to grant leases, and to deal more freely with their estates than the law would now permit them, an object which all persons who had dealt with the question thought desirable. The fourth object of the Bill was to enable tenants to obtain compensation for improvements they might have made. Before going further he wished to notice what his noble Friend had said as to the relations subsisting between landlord and tenant in Ireland. As his noble Friend had spoken from actual experience, he should not think of setting up an opinion against his; but he asked whether it was not a fact that a great difference existed between the number of years' purchase obtainable for agricultural land in England and Scotland, and for similar properties in Ireland? Was not twenty years' purchase regarded as a very fair price for land in the South and West of Ireland; would not land similarly circumstanced in England sell for as much as thirty years' purchase, and if that were so could any one deny that the conditions under which persons hold land in Ireland caused it to be estimated less highly than in England and Scotland? This granted, did it not follow that the condition of agriculture in Ireland demanded the special attention of Parliament? Without objecting to the general tenour of his noble Friend's Bill, which was chiefly permissive, and not likely to lead to evil, he thought the clauses providing compensation to tenants for improvements were insufficient. His noble Friend proposed only that landlords and tenants should have power to enter into compensation agreements. Something more than this was necessary, and he (the Earl of Kimberley) believed it would be found advisable to enact some measure similar to that which was suggested by the late Government. He thought it would be found consistent with justice and expediency to establish that wherever no special agreement had been made between the landlord and tenant, prohibiting the tenant from making improvements, the general law of the country should by some means secure to the tenant compensation for any improvement he may have made. And when speaking of compensation for improvements, he desired to remind his noble and learned Friend (Lord St. Leonards) that he was not referring to payment for manure or for root crops, for which in England the tenant was paid in a manner satisfactory to both parties, but to permanent improvements, such as buildings, roads, drainage, and the like, which in England were usually executed by the landlord. If in Ireland the landlord could not let his land if the permanent buildings on it were not in good repair, the case would be very different; but in the South and West of Ireland, permanent improvements were constantly executed, not by the landlord, but by the tenant. And it should be remembered that it was always intended to limit the claim for compensation to charges on account of permanent improvements only. There was, however, one point of great difficulty, and one in regard to which he freely admitted that the Bill of the late Government was defective. There must be some mode of registering the improvements, so as to prevent claims from being made for work which, in point of fact, had never been executed. Before sitting down he desired to say a word or two on other schemes which had been proposed to amend the defective relations of landlord and tenant in Ireland on a very large, and as some said, revolutionary scale. He did not scout a scheme because it had been styled "revolutionary;" the subject was so important that all schemes demanded careful examination. But any scheme for handing over the land to the existing tenants at the present rents, whether accompanied or not by measures of compensation to the landlord, seemed to him to be a scheme to which Parliament would not consent, and to which it was not desirable that Parliament should give its assent. He based his objection, not on any general abstract opposition to this scheme, but upon practical reasons. One proposal that had been put forward by a very eminent man was that the landlord should have the option of receiving an equivalent to the rent in Consols, if he were not disposed to continue to hold the land at such a fixed rate as it might be valued at by the State. But he would ask their Lordships whether they thought that if such a scheme were carried into effect it would really be calculated to improve the existing relations between the Irish people and the English Government? That was the test to which any such scheme must be brought. Admit, even, that the dissatisfaction which prevailed in many parts of Ireland was such that it required little short of what might be termed a revolutionary measure to allay it, the effect of this measure would be to hand over a considerable amount of land to the English Government, who would thus become the direct landlord, and would have to collect the rents from the peasantry, and to evict them if the rents were not paid. Was it not as certain as anything political could be that, so far from removing disaffection, such a scheme would have the effect of increasing it? The Irish landlords would naturally part with the worst portions of their estates, and the tendency of the measure would obviously be to strengthen the sympathies of the population with Fenianism; because the farmers who had become the direct tenants of the Government would, if they could succeed in getting rid of the Government, get rid of their landlord also. Other objections might be stated; but those which he had just urged seemed to be so fatal, that, with every respect for the author of the measure, he thought the sooner it was generally known that no party in Parliament or in the State was likely to entertain the proposition, the better would it be for the relations existing between the two countries. With regard to the scheme for giving compulsory leases of sixty years, it seemed to him also open to most serious objections, and to be one which Parliament was not likely to entertain. Land might be increased in value in other ways than by the improvements of tenants, such as by the establishment of new markets, the growth of towns, and the establishment of railway communication; and yet by this scheme the landlord would be deprived for sixty years of all advantage from such increase. He did not believe that any such indiscriminate and sweeping measures could have any good effect in Ireland or elsewhere. The nature of the disease was not such as could be cured by such measures; on the contrary, they would produce greater dissatisfaction than existed at the present moment. The circumstances of the land differed widely in different parts of Ireland, and the positions of the landlords and tenants were not the same; so that if all were dealt with by the same measure, although no doubt great advantage might accrue in some cases, great injustice would be done in others. It would be much more agreeable if they had to deal with a state of things in Ireland for which some remedy could be suggested that would have the effect of transforming that island at once into a thriving and prosperous country; but as he did not believe in any scheme of so Utopian a character, he thought they would do well to be contented with less ambitious endeavours. To any measure, however, which might be calculated to improve the relations between landlord and tenant in Ireland, from whichever side it might come, he should be happy to give his most cordial assent. Meanwhile, he could not help remarking that he had hoped that Her Majesty's Government would have taken this opportunity of announcing the policy which they intended to pursue with regard to Ireland. When called upon, as they were to be, to sanction the continuance of coercive measures, they were, he thought, entitled to such an explanation. He trusted, at all events, that when that measure came forward for discussion the explanation would be afforded.

THE EARL OF MALMESBURY: No one has a better right to be heard on this subject than the noble Marquess who has introduced this Bill; but I can only now give him much the same answer that was given last year—namely, that Her Majesty's Government have no inclination, at this progress of the Bill, to oppose it. The noble Marquess has acted wisely, I think, in following the course he pursued last Session, and proposing to the House to continue the Committee, which no doubt elicited last year evidence upon the subject of a most important character. I believe the noble Lord proposes to read the Bill a second time some day this week, and whilst the Government offers no opposition to the Bill in its present stage, we reserve to ourselves entire liberty to support the Bill or oppose it, entirely or in part. I shall say no more on this subject at this moment, and with respect to what the noble Earl who has just sat down has said with regard to the policy of the Government with reference to Ireland, I may add, following the rules of the House in not having had any notice given of the important question, that I decline this evening to give any information upon the subject. Your Lordships will not, however, have long to wait for information on the subject; because to-morrow evening the Chief Secretary of Ireland will probably explain in "another place" the intentions of the Government with respect to Ireland.

Motion *agreed to.*

A Bill to provide a simple Law of Tenure in Ireland—Was *presented* by The Lord SOMERHILL; read 1^a. (No. 23.)

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

(*The Lord Privy Seal.*)

(NO. 18.) SECOND READING.

Order of the Day for the Second Reading read.

The Earl of MALMESBURY, in moving the second reading of this Bill, said, I am now called on to perform a very painful duty—as painful a duty as any that can be imposed on an English Minister—namely, to ask your Lordships to continue the exceptional legislation which it has been found necessary to adopt in reference to Ireland, and once more to deprive the Irish people of that protection to their liberties which is afforded by the Habeas Corpus Act. Nothing short of the most pressing necessity would, as your Lordships can well understand, have induced the Government to take this step, nor would Parliament for a single instant have listened to such a proposal, if there had not been the strongest necessity for its adoption. When, in May last, the Earl of Derby proposed the suspension of the Act, we had all hoped that before this the necessity would have passed away, and the conspiracy have ceased to exist; but I regret to say that, although it has been scotched, it has not yet been killed. The threatening appearances of the conspiracy have, I regret to say, been transferred partly to this country, and the crimes committed in London and Manchester have made such an impression on the public mind, that it is incumbent upon us to prolong this exceptional state of things. At the same time, there are some prospects, I am glad to say, which induce us to hope that the period is approaching when the suspension of the Act will be no longer needful. In the first place, the number of persons in custody has certainly diminished within the last year and a half. When the late Government left Office, there were 330 persons in custody; but I do not for a moment mean to say that it was a greater number than was absolutely necessary; but the numbers now in custody are such as to lead us to believe that Fenianism is less violent now than it was then. Since January, 1867, there have been 265 arrested, but there are only ninety-five persons at present in custody. The Chief Secretary for Ireland gave a very interesting statistical statement in the other House of Parliament on the different classes and characters of the persons who have been concerned in this rebellion, and for the information of your Lordships I will repeat it. Of military men, no doubt, Americans—and I may say, in passing, that but for the American war there would have been no Fenian outbreak, for I believe the reckless men who sprang up in that struggle were at the bottom of that conspiracy—ten had been arrested and brought to justice. Of professional men and clerks there have been twenty-five, of artizans ninety, and of farmers eleven—the last fact having an interesting bearing on the debate which has just taken place, for it shows the feeling of Irish farmers towards their landlords and the laws under which they lived. Then there had been sixty-six labourers, twenty-eight shopkeepers an assistants, and thirty-five persons of various occupations not particularized. We have discovered as clearly as possible that ninety-five leaders —men who were willing to head the conspiracy—intended to come from America, and that, of these, forty-three had been officers in the American civil war. Out of this number twenty were arrested, eighteen never arrived, and three escaped, or were not found. So that almost all of those who did arrive were arrested. It is satisfactory to know that there has been but little bloodshed, and the principal loss has fallen on a class of men we cannot too highly praise, and who did their duty in a manner deserving the gratitude of the country. There have been two policemen killed in Dublin and one in Manchester. It is not unnatural under such circumstances to seek for some gleam of hope. The conspiracy has now lasted four years; but there is a marked difference between this rebellion and those of 1798 and 1803; and I might say that no person of property or position in Ireland has been found or suspected to be concerned in this rebellion. In 1798 and 1803, however, there were persons of high rank, possessed of property, and respected by their neighbours and society in general; and the inference is that the remedial measures which have been passed for the Government of Ireland during the past sixty-five years have been such that the upper classes of Ireland are satisfied with the laws and their relation with this country; and we may logically draw the inference that as the lower classes are more educated they will take the same views as the upper classes have taken in Ireland during the last sixty-five years. I sincerely trust that although this Bill will naturally operate for a year, Parliament may before that time be able to restore to Ireland the liberties which it wishes her to possess, wishing her to stand in every respect on the same footing as the rest of the United Kingdom.

Moved, "That the Bill be now read 2ª."—(*The Earl of Malmesbury.*)

EARL RUSSELL: I regret that the noble Earl the First Lord of the Treasury is absent on this occasion from indisposition, and is thereby unable to be present to explain, in his own clear manner, why he thinks this measure is again required. I regret his absence also because I should have asked him more pointedly than I can the noble Earl who has just sat down what is the policy of the Government in regard to Ireland, which I think, on an occasion of this kind, should be fully explained. It is no trifle to ask for a third time that the liberties of the people of Ireland shall be suspended, and that the Lord Lieutenant may have, for more than a year, the power to arrest any person who may be suspected of disloyalty, and confine him during the whole of that time. Nor is it a thing which your Lordships can pass over as a matter of course. The only reasons on which I could object to the second reading of the Bill would be, in the first place, that it is not necessary; and, in the second place, that the powers hitherto given have been abused. I confess that I think neither objection can be fairly taken to the course at present pursued by the Government. I have always understood that the reasons for the suspension of the great Act of Habeas Corpus were that there were known to the Government plots and combinations, and disaffection and conspiracies; that although there was not sufficient evidence to arrest those persons, and bring them to trial and convict them of high treason, there was sufficient knowledge in possession of the Government to enable them to say that such conspiracies existed, and to ask Parliament for powers by which they might defeat those conspiracies before they ripened and broke into positive rebellion. In former days, I remember, with regard to this country, that the Minister of the Crown, more than once, brought down what was called a "green bag" full of details of treasonable plots then hatching in some parts of that country. No such "green bag" is necessary now, because the Fenians have never disguised that their intention and purpose was to break off the union between England and Ireland, to dethrone the Queen as Sovereign of Ireland, and to take possession of the country for themselves. Therefore, there is no question as to the nature of the conspiracy. With regard to the expediency of suspending the Habeas Corpus Act with a view to our security—I think we may be sure that if these plots were allowed to ripen and break out into a considerable insurrection, although there is no doubt that the Commander of the Forces in Ireland, Lord Strathnairn, would be speedily able to suppress the rebellion and defeat it, there would nevertheless be considerable bloodshed and destruction of property. I think, therefore, on the first ground, that the suspension of the Act is a necessity. With regard to what would be the second ground of objection—that the powers have been abused—I have no hesitation in saying that I think the Government of Ireland, the Lord Lieutenant, the Chief Secretary, and others connected with the Executive, have shown the greatest discretion and the utmost impartiality, and they have, so far as we know, never acted without sufficient grounds in depriving persons of their liberty on charges of treason. I have also great satisfaction in observing that while these powers have existed there has been no indisposition to put in force the usual laws of the land, and that there has been no want of co-operation on the part of those concerned in carrying on the ordinary process of justice. Whether we look to the Judges — to the Law Officers of the Crown, or to the conduct of juries, we have reason to be satisfied with the manner in which they have all discharged their several functions. I was happy to see, in reference to the abuse of the liberty of the press to such an extent, that the writers evidently intended not to comment on or criticize the measures of the Administration, but to attempt by their writings to excite the people to insurrection against law and authority; that when the prosecutions were instituted the juries have faithfully and bravely done their duty, and convicted those who have been proved to have been the guilty parties. I think that the juries in these cases are entitled to our applause and sympathy; and in those cases in which the Law Officers of the Crown had not been able to obtain a conviction there seemed to be sufficient ground to induce the juries to arrive at the conclusion that what had been done was not contrary to law; especially after processions had been allowed at Cork, and after it had been stated in this House that those processions were not contrary to law. The whole proceedings, I must say give me the greatest confidence, which I did not feel twenty years ago, that the administration of justice will be carried on not only with purity but with strictness and impartiality. But while there were all these sources of satisfaction, and while there were reasons why these powers should be given to the Government for the third time—whilst they may be rightly intrusted with them, I must confess that it is a melancholy aspect of affairs which imposes upon us the necessity of granting such powers. No doubt, as my noble Friend has said, this state of things is greatly owing to the civil war in America; but what is there in the state of Ireland that has made these persons disaffected to the Crown and to the laws of this country, and that has produced such a difference between those who have gone from Ireland, and all other emigrants in the United States? There have been emigrants from every part of Europe — from England, from Scotland, and from Germany; and to South America from Italy. With regard to all these, the natural supposition is that men unable to earn their livelihood comfortably in the country of their birth, and finding in the United States or in South America very high wages and very profitable employment, should be satisfied with their change of condition, and that they should remain in that country to enjoy the fruits of their enterprize and the produce of their industry. And such is the fact with regard to the English and Scotch, and with regard to the Germans and Italians. We never hear of any of those people coming back to England, Scotland, Germany or Italy, and complaining of the Government of their own country, and risking their liberties, and even their lives, in order to produce a change in that Government. What is there in Ireland which makes such a melancholy difference? I cannot but think there are evils in Ireland which call for the attention of the Government and of Parliament, and which, I think, the organ of the Government in this House ought not to have omitted from his statement. I should have been happy if I had heard the noble Earl say that while Her Majesty's Government thought these powers were necessary, still if there was anything in the present state of Ireland requiring amendment and reform they should be ready to give that amendment and reform. [The Earl of MALMESBURY: Hear, hear!] I have explained what are my views on the subject, and what measures ought to be adopted, and I can assure your Lordships that I shall not imitate a great orator in the last century, who, in delivering a speech in Parliament, was accused of only giving a new edition of his own pamphlet. If, however, I do not attempt to explain my own views, I am most anxious that the Government should explain theirs. I cannot but think that you have an opportunity which has almost never occurred before. There was an opportunity in 1801, and another in 1825, but they were both thrown away. I hope that the opportunity of 1868 will not be thrown away; because great as were the dangers in those times, there are at the present time, or may be, most serious perils impending over this country. The noble Earl and his Colleagues may think it perfectly easy to postpone all measures of redress, and to say that next year, or at some future time, we shall take those measures into consideration; but you do not know what will be your situation then. I think that I remember Sir Robert Peel, in proposing his measure for a grant to Maynooth, which, though not very important in itself, was one which conciliated and pleased in a great degree the Roman Catholic subjects of Her Majesty—I remember his saying, when there had been some critical discussion with the Government of the United States, he was happy to send a message of peace to Ireland. I am happy to find there is now no serious cause of difference between the Government of Her Majesty and that of the United States; but no man can say, when the new President is elected, and when a new Congress and a President are playing against each other for power, that discussions may not arise with America which would render it imperative, but at the same time difficult, to satisfy the mind of Ireland. That is your business not only with regard to land, but with regard to the Church of Ireland. There is no parallel to that Church anywhere—in Europe, Asia, Africa, or America, there is nothing like the Established Church of Ireland. There is no institution in any country which produces amongst the people living in it such a feeling of humiliation and degradation—such a sentiment that they have a badge of conquest imposed upon them, as the Church of Ireland produces among the people of Ireland. I say, then, my Lords, that the Government which neglects this great question, or either postpones it, or says it has no measure with regard to it, greatly neglects its duty. It would be better, at all events, if their policy were such as was declared by the Solicitor General at Helston, that they were determined to make no change in the Church of Ireland, that they should avow such to be their intention. It would be better to declare that policy, and openly avow what they mean, than leave all the questions connected with the Church and land to be debated and discussed amid the wildest schemes and the most extravagant and impracticable prospects of change. It would be much better to say that they are determined to do nothing, and to resist everything, than to allow discussion to go on in the vague hope that some day or other that Minister who made so great a change last year in regard to England might be disposed to make as great a change in regard to Ireland. Let us have a clear and decided policy stated with regard to the Irish subjects of Her Majesty. Do not allow them to be tossed about between fear and hope. Do not allow this disaffection to go on; and, if possible, give us hope that when this question is next considered Her Majesty's Government may be able to say that the suspension of the Habeas Corpus Act is no longer necessary.

THE EARL OF HARDWICKE said, as no Member of the Government rose to address their Lordships, he wished to make a few remarks. He would not go into the question of this particular Bill; but he wished to say a few words on the subject just raised by the noble Earl. The noble Earl who had just resumed his seat, had been the great advocate of Liberal principles in this country ever since he had been in Parliament. Many of those principles he had been able to carry out, and his career had been most consistent and honourable in consequence of the success which had attended his efforts to carry out those principles. But he was perfectly astonished that such a man should during his long career have overlooked that which he now so clearly saw; that he should have resisted any change in reference to the Church of Ireland; and that he should have maintained the Protestant Church of Ireland as strongly as any man in the country. Now, however, the noble Earl suddenly finding himself in Opposition, seized, as the only point he could raise, this question of the Irish Church, in order to excite against the Government all the disaffection of the United Kingdom. He was astonished that the noble Earl who had so long held the helm of the State, should never before have raised his voice for the objects which he now declared to be essential for the well-being of Ireland—should never have used the power which he so long enjoyed as a Minister of the Crown to secure those objects; but that at this moment, above all others, he should issue a pamphlet for the purpose of turning men's minds towards the destruction of the Church of England in Ireland. That destruction, if accomplished, would assuredly raise more enemies to this country in Ireland, and would weaken the power of this country more than any single act which could be attempted. His firm conviction was that, whatever was done in Ireland, the Church of England must not be destroyed. It might be perfectly right and proper, and he thought it would be, to deal with the Roman Catholic Church, placing it in an independent position, and a position of equality with the Church of England; but he hoped that no Government would propose the destruction of the English Church in Ireland.

EARL GREY said, he could not allow this discussion to close without expressing his extreme surprise and regret that the Government had thought fit to pass over without any notice whatever the appeal made to them by his noble Friend (Earl Russell). Surely, the state of Ireland at this moment was most grave and serious? As his noble Friend most justly said, the fact that for three successive years Parliament had been called upon to pass a Bill which placed the liberty of every man at the disposal of the Lord Lieutenant of Ireland, which enabled the Lord Lieutenant, without any evidence that need be brought before a Court of Law, to inflict upon any suspected person the grievous punishment of imprisonment—such a state of things, though it was inevitable that the Government should ask for these powers, was one which surely called for something more than a mere passing allusion? As far as he had the means of judging, the Government of Ireland had used these extraordinary powers with great discretion, moderation, and propriety. He had no fault to find with them; but he could not forget that a bad system of Government became established in this manner. It was by granting extraordinary powers, which in the first instance were not abused, by allowing the existence of these powers to be gradually prolonged from year to year until that system of government became habitual, that the greatest danger arose to anything like Constitutional Government. It was, he said, a serious danger for England, as well as for Ireland, that Parliament should be compelled to continue a state of things in which all securities for liberty of the subject were necessarily suspended. In his opinion, Parliament was not justified in passing from year to year a measure of this kind unless it had resolved also to deal with the causes of such a state of things and to correct existing evils. Parliament ought not to content itself with a mere measure of coercion; it was bound to take some means of remedying the mischief which made coercion necessary. It was the duty of Parliament not to object to this Bill; at the same time it was the duty of Parliament to insist upon the immediate adoption of some decisive measures for improving the general condition of Ireland. When he said that this was his strong conviction, he knew he should be met by the old assertion, "There is nothing we can do." He should be told that everything had been tried; that no measures were suggested which would have the slightest effect in remedying existing evils, or in reconciling the minds of the Irish people to the Imperial Government. He was quite prepared to admit that no sudden, immediate change in the state of Ireland was to be looked for. The evils from which the country suffered were of too long standing and were too inveterate to allow us to expect that we could at once remove them. Those who promised sudden and immediate improvement in the condition of Ireland were acting the part of political quacks; and, for his own part, he had no confidence whatever in what were called "heroic remedies." But he had great confidence in the efficacy of wise and just legislation. He believed that human nature was the same in Ireland as in other parts of the world, and that a proper system of government and wise and just legislation would not fail in due time to produce beneficial results in Ireland as elsewhere. We must have patience; but he had no doubt that if proper measures were adopted these results would follow by degrees. Unhappily, as far as he could see, we were not even beginning to make progress towards a better state of things. His noble Friend (the Earl of Malmesbury) had told the House that the number of persons arrested under the Habeas Corpus Suspension Act showed a diminution in the number of persons it was necessary to prison by the exercise of the extraordinary power given to the Government, as compared to two years ago; and he urged that this fact implied a less widely spread disaffection than there was. He feared this argument was not sound. The measures of repression which had been adopted might have discouraged offenders; but the minds of the great bulk of the Irish people seemed to be more than ever alienated from the Imperial Government. [Earl RUSSELL: Hear!] Funeral processions had been got up in honour of certain persons who had been found guilty of an atrocious crime, and this mark of honour was paid to them because their crime was supposed to have been prompted by hostility towards the British Government. Surely this was a most grave circumstance, as showing the feelings of the Irish people? Remembering what was the offence of the persons thus held up as martyrs, the fact that such crowds had collected in their honour at Dublin, Cork, and elsewhere appeared to him to be the most alarming symptom he had yet heard of to prove the estrangement of the people from the institutions under which they lived. He was persuaded that no legislation calculated to improve the general condition of Ireland, no such measures as that suggested by his noble Friend (the Marquess of Clanricarde) at an earlier period of the evening, could have a proper effect so long as there remained in existence the one notorious and crying injustice of the Irish Church. While the Irish people continued to feel, as they must feel, that in this respect they were treated with indignity and injustice—while this feeling of injustice rankled in their minds, and this source of bitterness was left untouched, no good effect could be hoped from other remedial legislation. As his noble Friend behind him had said, in Ireland alone, of all countries in the world, the Church of a small minority of the people was richly endowed, while the religious teachers of the great majority were left without any provision whatever. While a Church Establishment which was regarded as a badge of conquest and of inferiority by a great majority of the population was maintained in its present state, and nothing was done to redress the inequality, he had no hope whatever that anything which Parliament could do would meet the Irish difficulty. Now, he confessed that though there was a great deal in the speech of his noble Friend who had last spoke (the Earl of Hardwicke) with which he did not agree, he was glad to hear from him that he thought the time was come when Catholics and Protestants must be put upon a footing of religious equality in Ireland. That was an admission which he had heard with the greatest pleasure, and if it were made not by any independent Peer, but by Her Majesty's Government and by Parliament—if the principle of religious equality were once fairly recognized, even though they might not be able all at once to decide upon a practical mode of carrying that principle into effect — a great step would have been taken towards removing the evil from which most of our troubles in Ireland had sprung. Only two years ago he had so fully stated his views with regard to the Irish Church, and more than thirty years ago he had stated them so fully in the other House of Parliament, that it was unnecessary to trouble their Lordships by re-stating them on the present occasion. It was sufficient for him to say that, however their arguments might satisfy themselves of the propriety of maintaining the present state of things, they might rest assured that those arguments would utterly fail in Ireland. Their Roman Catholic fellow-subjects, without one exception, felt that the maintenance of the existing state of things was unjustifiable. They were supported in that opinion by the public expression of the views of some of the great ornaments of our own Church, and by a great number of statesmen of various parties during a long series of years. They were also supported in that opinion by the unanimous voice of the civilized world; and while that was the case it was impossible that they could be contented with the continuance of the present state of things. He had already said rather more than he had intended, but there was one further observation that he desired to make. He had heard it suggested that the consideration of the policy of the Government on that subject ought to be deferred until after the presentation of the Report of the Royal Commission appointed with reference to the property of the Irish Established Church upon an Address to the Crown agreed to by that House last year. He said that that was an utterly untenable argument. That Commission might, and he hoped it would be of very great use in discovering a mode of improving the management of that property, and of increasing the funds which might be available for the purposes, whatever they might be, to which they would be applied. But he would remind their Lordships that when last year it was proposed, in the Address which asked for the appointment of that Commission to insert words which pointed to the consideration of the question, whether the application of those funds might not be altered, those words were deliberately rejected by their Lordships. Why, the effect of that Vote was expressly to exclude from the inquiry of the Commissioners all consideration of the great question of what was the policy they should adopt with regard to endowing different forms of religion in Ireland. The Commissioners were as much debarred from inquiring into that point as the power of Parliament and the Crown could debar them. Therefore, their Report could throw no light on the great question of the policy which they were to pursue. That subject had been debated now for thirty-five or thirty-six years. Since the Appropriation Clause it had never been entirely at rest. There had, indeed, been intervals during which other matters had temporarily somewhat obscured it; but that question had always been more or less before the public. They had all formed their judgments upon it, and, as his noble Friend had justly observed, looking to the state of Europe and also to the state of America—looking to the possibility, at all events, of differences arising in that quarter—surely any man who could recommend the postponement of that great question for another year in the face of all those dangers must indeed be wanting in the most ordinary qualities of a statesman. Could, he asked, their Lordships afford to trifle any longer with that subject? Was it not one which, beyond any other that could be named, called for the immediate and earnest consideration of Parliament? It was one which, he said, they could not afford to delay; and he trusted that if Her Majesty's Government should refuse to bring it under their notice, when that Bill for investing the Executive with extraordinary powers should have passed into law, some Member of their Lordships' House would bring distinctly before them the question of whether or not they ought to allow that Bill to remain by itself on the Statute Book without attempting to take any step whatever which might relieve them from the painful necessity of going on from year to year in the same miserable course of endeavouring to repress discontent and disaffection by mere coercion, while they neglected to adopt any means for removing the causes from which that deplorable state of things proceeded.

THE DUKE OF RICHMOND said, he could assure their Lordships that it was not from any want of courtesy towards the House, or towards the noble Earl who spoke second on that occasion (Earl Russell), that no Member of the Government rose before the noble Earl who last addressed them. The Government had considered, as it was natural that they should consider, the whole condition of Ireland; but they could not but think that that was not the best time for making a statement of the conduct which they intended to pursue with regard to that country; and he was at a loss to know upon what occasion it had ever been thought that the Government were not the proper judges of the time when that announcement should be made. When his noble Friend in the other House of Parliament (the Earl of Mayo) moved the second reading of the Habeas Corpus Suspension Bill, he did not enter into a general discussion of the policy of the Government towards Ireland, but thought it better to confine himself to the subject immediately before the House. No objection was taken to the course of proceeding which his noble Friend then indicated his intention to adopt, when he stated to the House of Commons that on a very early day, upon the Motion of, he believed, the hon. Member for Cork, (Mr. Maguire) on the state of Ireland, which stood for to-morrow night, he would be prepared, on the part of Her Majesty's Government, to declare distinctly the course which they meant to pursue with respect to that country. It was not necessary for him (the Duke of Richmond), he was happy to think, to add anything to the remarks made by his noble Friend behind him (the Earl of Malmesbury) in moving the second reading of that Bill, because the noble Earl opposite (Earl Russell) had distinctly stated that there were but two or three grounds on which any objection could be taken to such a measure as that; but that no one of those grounds existed on the present occasion. He would not be tempted by the noble Earl's suggestions in the latter part of his speech to break through the rule which the Government had laid down for itself—namely, that of waiting till to-morrow evening, when their policy was to be promulgated in the House of Commons. He would not be induced to enter upon those topics which the noble Earl had brought forward with a view to show that they ought to make a statement at once. The noble Earl had assumed that they were not even going to legislate for Ireland next year in regard to the land and the Church — that they intended to do nothing; and then he argued that the Government which so neglected its duty, and which attempted to do nothing, was not worthy of the confidence of the country. No doubt, if those statements had been correct, the noble Earl would have been right in his conclusion from them; but he (the Duke of Richmond) had yet to learn that such conduct could be imputed to the Government on that occasion. The land question had been before the House at an earlier part of the evening; and if he had thought a Motion for the second reading of the Habeas Corpus Suspension Act was the proper time for discussing the subject of the tenure of land in Ireland or the subject of the Irish Church he would have been quite ready to do so. He thought it would be exceedingly inconvenient, on a Motion like the present one, when the noble Earl opposite could find no fault with the Government for bringing forward that measure, that the Government should enter into the discussion of the general subject of tenant-right and the Established Church in Ireland. At the risk, however, of being thought to promote a second edition of the noble Earl's (Lord Russell's) pamphlet, he would take the liberty, if the noble Earl would excuse him, of reading one or two extracts from that pamphlet, which, he believed, afforded very sufficient grounds, among others, for not entering upon the subject of the Irish Church at the present moment. The motto which the noble Earl had taken for his pamphlet was a very fair one—namely, "Let right be done." They would all agree in that, although there might be on that, as on many other occasions, some difficulty in finding out exactly what was "right." Therefore, they would not quite so well agree, perhaps, with the noble Earl as to what course should be adopted in order to "let right be done." The noble Earl, with that talent for discovering the weak points of his own case, or rather, anticipating what his own great experience suggested to him as objections which might be urged to his own dictum, said at page 67 of his pamphlet—

"We may suppose the first objection to be on the part of Conservatives in both Houses of Parliament, who would say, 'There is already a Commission appointed on your own Motion. Wait till they have made their inquiries, and suggested in their Report the remedial measures which they consider appropriate to the case. This is surely a reasonable request.' I should admit the request to be reasonable if the whole case of the Churches existing in Ireland had been submitted for inquiry to Commissioners fit for the task, and they had been left at liberty to consider what was best for the welfare of the Irish people."

No doubt the noble Earl thought he qualified the objection by the last part of the paragraph; but in the course of a discussion and inquiry into the Irish Church there were several very grave and very large subjects which must arise. Those subjects were suggested to the noble Earl by the observations of a noble and learned Friend of his (Lord Cairns) in the last Session of Parliament, because at the end of that chapter the noble Earl said, "Questions would no doubt arise respecting the property in glebe lands." It may be observed in passing, that the noble Earl, taking a comprehensive view of the whole question of the Irish Church, in one short sentence said—

"A fair division of the rent-charge in lieu of tithes would give about six-eighths to the Roman Catholic, about one-eighth to the Protestant Episcopal, and less than an eighth to the Presbyterian Church."

Whether noble Lords and Members of the other House of Parliament who followed the noble Earl, but who were opposed to all religious establishments, would quite agree in that suggestion, he would not stop to inquire. The noble Earl continued—

"Questions would no doubt arise respecting the property in glebe lands. Lord Cairns contends that many of these glebe lands were forfeited to the State, and were granted to the Protestant Church by the Act of 1662. Mr. Hallam remarks that many of these lands had belonged to the Church, and had fallen into lay hands during the confusion of the civil war. These are questions for Commissions to investigate in the first instance, and for Parliament in the last resort to decide."

He concurred in this opinion, and did not think that this was the proper time to go into the question of tenant-right in Ireland. The course the Government proposed to take on this question would be stated very fully by the noble Lord the Secretary for Ireland in the other House of Parliament to-morrow evening, and he must decline to anticipate that statement by entering into a discussion on the general question this evening.

The Duke of Richmond

THE MARQUESS OF WESTMEATH said, that for nearly half a century he had lived on his estate in Ireland, doing his duty as a magistrate and as a country gentleman; and he could affirm that it was the universal practice of the Roman Catholic clergy continually to stimulate the feelings of the people in their parishes, and of those who listened to them, against the British Government and against British institutions. There was no truce to this kind of thing, and it had gone on in one shape or another ever since 1641. There could be no doubt that the Roman Catholic religion was a political engine in Ireland, and that it had been made use of to alienate the affections of the people from this country. The English had given an open Bible to Ireland, and had ignored the Pope of Rome. There is an undying hatred for this borne by the Popish clergy towards England which nothing can extinguish. Was any man weak enough to suppose that if the Protestant Church was broken up, and its emoluments made away with, there would be peace? Not as long as there was a Protestant in Ireland would there be peace. He would take the part of the Roman Catholics if he thought they had anything to complain of; but they were the aggressors throughout. He knew the people of that country, and he knew that they never liked the appeals made to them; but no Roman Catholic durst raise his voice in Ireland to say that what the Priest said was not correct. If they chose to make an improved distribution of Church property in Ireland, it was for the Imperial Parliament to do so; but if they thought that by doing so they would conciliate the Roman Catholic clergy they were mistaken. So long as there was a Protestant institution in Ireland which they were bound to sustain, depend upon it so long they would fail to conciliate the Roman Catholic clergy.

THE EARL OF ELLENBOROUGH: My Lords, I agree with the noble Duke (the Duke of Richmond) that Her Majesty's Government should refrain to-night from entering into any discussion or statement of their general views with regard to Ireland, as to what remedial measures would be desirable. I do not think it would be expedient to enter upon such a discussion to-night; but, at the same time, I think it not inexpedient that independent Members should express their opinion. I entirely agree with my noble and gallant Friend on the cross Benches (the Earl of

Hardwicke). I desire to see the establishment of religious equality in Ireland. The very first vote I gave in the House of Commons, considerably more than half a century ago, was in favour of a Motion tending to Catholic emancipation. But, my Lords, that equality must be established, not by depressing the Protestants, but by raising the Roman Catholic population. It would be a great wrong and impolicy to set up the Roman Catholic Church by the spoliation of members of the Church of England. I consider that that would be altogether inconsistent with the integrity of Parliament, with the solemn declaration made at the time of the Union, and subsequently at the time the Act for Catholic Emancipation was passed. The maintenance of the rights of the Church of England is bound up with the honour of Parliament; but, at the same time, I think that the establishment of religious equality is a measure demanded by justice and by policy. I know not to what extent it may have been the desire on the part of Mr. Pitt and Lord Castlereagh to improve the condition of the Roman Catholic Church; but every one who knows anything of the character of either of those great statesmen must know that neither of them would do anything unjust to the Church of England; and they knew, as we all know, that to preserve Ireland we must avoid giving dissatisfaction to the Protestants of Ireland — that they are especially the civil garrison of Ireland, and by them we must stand or fall. I do not know that I need add anything at present; but I thought it my duty to express that which has always been my opinion, and which increases in strength every day. I think that Parliament should, without delay, take into consideration measures which should give contentment to every reasonable person professing the Roman Catholic religion, and take away from them everything which, in the present state of things, can be considered either offensive or ignominious.

THE BISHOP OF OSSORY said, he could not allow the opportunity to pass without expressing his surprise that on a Motion of this kind the noble Lord who had stated the grievances, or supposed grievances, of Ireland, and the cause or supposed causes of the disaffection which unfortunately prevailed there, had insisted upon only one grievance—that of the Established Church. If, however, you allowed the disaffected people in Ireland to state their own grievances, while they might not deny that the Irish Church was a grievance, they said plainly and distinctly that while they might be pleased by the abolition of it, nevertheless it would by no means satisfy them. Not only the Fenians, but persons who might be supposed to be equally disaffected, expressly said that although the abolition of the Established Church might gratify them, it was not a thing they aimed at.

Motion *agreed to:* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

PRIVATE BILLS.

Standing Order Committee on, *appointed:* The Lords following, together with the Chairman of Committees, were named of the Committee:

Ld. President
D. Somerset
M. Winchester
M. Bath
M. Ailesbury
E. Devon
E. Airlie
E. Hardwicke
E. Carnarvon
E. Romney
E. Chichester
E. Powis
E. Verulam
E. Saint Germans
E. Morley
E. De Grey
E. Stradbroke
E. Amherst
E. Kimberley
V. Sydney
V. Eversley
L. Camoys
L. Saye and Sele
L. Colville of Culross
L. Ponsonby
L. Sondes
L. Foley
L. Dinevor
L. Sheffield
L. Colchester
L. Silchester
L. De Tabley
L. Wynford
L. Portman
L. Stanley of Alderley
L. Belper
L. Ebury
L. Churston
L. Egerton
L. Penrhyn

PRIVATE BILLS.

All Petitions relating to Standing Orders which shall be presented during the present Session *referred* to the Standing Order Committee unless otherwise ordered.

OPPOSED PRIVATE BILLS.

The Lords following; viz.,
M. Bath
L. Colville of Culross
L. Ponsonby
L. Stanley of Alderley
were *appointed,* with the Chairman of Committees, a Committee to select and propose to the House the Names of the Five Lords to form a Select Committee for the Consideration of each Opposed Private Bill.

House adjourned at Eight o'clock,
till To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Monday, February 24, 1868.

MINUTES.]—New Member Sworn—George Melly, esquire, *for* Stoke-upon-Trent.

Public Bills—*Resolution in Committee*—London Coal and Wine Duties Continuance.

Ordered—Weights and Measures (Metric System); Sea Fisheries; London Coal and Wine Duties Continuance; Court of Session (Scotland); Court of Justiciary (Scotland).

First Reading—Sea Fisheries [42]; London Coal and Wine Duties Continuance [43]; Weights and Measures (Metric System) [44]; Court of Session (Scotland) [45]; Court of Justiciary (Scotland) [46].

Second Reading—Railways (Extension of Time)* [39].

Third Reading—Public Departments (Extra Receipts) * [26].

TURKEY — APPOINTMENT OF SIR WILLIAM WISEMAN.—QUESTION.

Captain MACKINNON said, he would beg to ask the Secretary of State for Foreign Affairs, If it is true that Commodore Sir William Wiseman, R.N., was appointed some months ago, by the Admiralty, to proceed to Constantinople to assist in the organization of the Turkish Fleet; and if this appointment has been approved by the Secretary of State to the Turkish Government; and if it is true that this Officer is not now to proceed to Turkey, in consequence of another British Officer of the Royal Navy having accepted the appointment without the sanction of the Government; and what steps the Government have taken to recall this Officer, to allow Sir William Wiseman to take up the duties he was appointed to last summer?

Lord STANLEY: Sir, the facts of the case are these: In May of last year, the Turkish Government expressed a wish that a British Naval Officer of rank should be selected to act as one member of a Council of Naval Officers, a kind of Turkish Board of Admiralty, which has been lately established at Constantinople. The English Government saw no objection to that in principle, Turkey being at peace with all nations, and Sir William Wiseman was accordingly selected by the Admiralty for the post in question. But it was thought better that the appointment should remain in abeyance until the termination of the Cretan war. The Cretan war, however, still continues, though upon a reduced scale; and therefore Sir William Wiseman's appointment has not been carried out. In December last, it was reported at the Foreign Office that Captain Hobart, of the British Navy, was about to enter the Turkish service. I communicated with the Admiralty upon the subject; they made inquiry, and Captain Hobart was informed that in the event of his taking service under the Turkish Government, without the consent of the English Government, he could not be allowed to remain in the English Navy. A letter was shortly after received from Captain Hobart, stating that he had accepted the office of member of the Turkish Admiralty Board, and offering, in consequence, to resign his commission in Her Majesty's service. That resignation has, I understand, been accepted. No communication has been made to me by the Turkish Government upon the subject of Captain Hobart. I may add, in conclusion, that the appointment is one of a civil and not of a military character, and therefore Captain Hobart, in accepting it, has not violated any Law of this Country.

POLLUTION OF RIVERS.—QUESTION.

Mr. CANDLISH said, he would beg to ask the Secretary of State for the Home Department, Whether, during the present Session, he intends to introduce a Bill to prevent the pollution of rivers; or, if he does not intend to legislate on the whole subject, if he will introduce a Bill to prevent solids being deposited in rivers?

Mr. GATHORNE HARDY replied, that he was not prepared to legislate upon the subject during the present Session, as he did not think the inquiry into it had been sufficiently complete. The old Commission had been dissolved, but a new one would shortly be issued, and he therefore did not think it was advisable to legislate until that was done.

POSTAL.—MR. CHURCHWARD.

QUESTION.

Mr. TAYLOR said, he wished to ask the Secretary to the Treasury, Whether there is any foundation for the report that the Government are in negotiation with Mr. Churchward in respect of a new contract for the Mail Service to France?

Mr. HUNT: No, Sir, there is no intention whatever.

INDIA—MADRAS IRRIGATION COMPANY.

QUESTION.

Mr. SMOLLETT said, he would beg to ask the Secretary of State for India, Whether, with reference to the statement made by the then Under Secretary, on the 15th May, 1866, that a sum of £600,000 was about to be lent to the Madras Irrigation Company on debentures, he is prepared to state what sums have been so advanced; upon what terms the advance is made; what is the state of account with that Company at the present date; and whether any net revenue has accrued from the work; and whether the chairman and directors of that Company are paid for their labours; and, if so, by whom?

SIR STAFFORD NORTHCOTE said, the arrangement referred to was that the Government should advance a sum of £600,000 to the Madras Irrigation Company, for the purpose of enabling them to execute certain specified works, the money to be issued on debentures bearing 5 per cent interest, which was to be a first charge upon the profits of the Company. And there was this stipulation, that if within five years, from the 1st July, 1866, the work was not completed to the satisfaction of the local Government, the whole of the works should be made over to the Secretary of State, in exchange for an amount of Five per Cent India Government Stock, equivalent at the price of the day to the actual amount expended. The amount which had been advanced as loan was £118,000, and the works were proceeding in accordance with the arrangement made. The Company were guaranteed by the Government to the extent that the Government made up the amount of interest on the capital of the Company to 5 per cent per annum. The amount of the capital of the Company—£1,000,000—was now all paid up, with the exception of some £100 or £200, and the amount paid by the Government between 1859, when the arrangement was made, to the present time was £311,918, as guaranteed interest, and in the last year the amount paid was £49,846 15*s.* 3*d.*, or about 5 per cent upon the amount of the capital called up. It was clear from this statement that the Company had not made any net revenue at present. The directors had hitherto been remunerated out of the capital called up, but now they were paid out of the advances obtained on loan.

PUBLIC SCHOOLS BILL.—QUESTION.

MR. AYRTON said, he would beg to ask the right hon. Member for Cambridge University, To postpone the Committee on the Public Schools Bill, the Report of the Grammar Schools Commission not having been yet issued?

MR. WALPOLE said, in reply, that he did not propose to take the Committee on this Bill until the Report of the Commissioners was in the hands of Members. He proposed, however, to go into Committee on the Bill *pro formâ* on Thursday, in order to insert some material Amendments with a view to putting the Bill into a more complete shape.

WEIGHTS AND MEASURES (METRIC SYSTEM) BILL.

LEAVE. FIRST READING.

MR. EWART, in moving for leave to introduce a Bill for the introduction into this country of the Metric System of Weights and Measures, said, that a Committee of that House which had sat upon the subject had reported in favour of such a measure. All the foreign Commissions likewise which had considered the subject had been favourable to a Bill like that which he now sought to introduce. He would leave the House to determine the period when the metrical system should be adopted. He thought himself that five years would be a sufficient time to allow in order to prepare the public for its adoption.

MR. STEPHEN CAVE said, that he should not offer any opposition on the part of the Government to the introduction of the Bill; but he wished to remind the hon. Gentleman that this was one of the points which would be brought under the consideration of the Royal Commission at present sitting on the subject of Weights and Measures, and he thought it would be as well to defer any measure of this kind until that Commission had reported.

Motion *agreed to.*

Bill to establish the Metric System of Weights and Measures, *ordered* to be brought in by Mr. EWART, Mr. BAZLEY, Mr. BAINES, Mr. JOHN BENJAMIN SMITH, and Mr. GRAVES.

Bill *presented*, and read the first time. [Bill 44.]

SEA FISHERIES BILL.

LEAVE. FIRST READING.

MR. STEPHEN CAVE, in moving for leave to bring in a Bill to carry into effect a Convention between Her Majesty and the Emperor of the French concerning the Fisheries in the Seas adjoining the British Islands and France, and to amend the Laws relating to British Sea Fisheries, said, it would probably be in the recollection of the House that in the year 1866 Her Majesty the Queen and the Emperor of the French charged a Mixed Commission with the duty of preparing a revision of the Convention of the 3rd of August, 1839, and of the Regulations of June 23, 1843, relative to the fisheries in the seas between Great Britain and France. Of that Commission he had the honour of being one of the English Members. Associated with him was his hon. and learned Friend the Member for Reading (Mr. Shaw-Lefevre), of whose unwearied assiduity he could not speak too highly, and who brought to the task the experience he had gained from having served for two years on the Royal Commission for inquiring into the Sea Fisheries of the United Kingdom. He had also the valuable cooperation of Mr. Goulburn, Deputy Chairman of the Board of Customs, and of Captain Hore, naval attaché to the Embassy in Paris. The Commissioners on the part of France were presided over by M. Manceaux, Conseiller d'Etat, and he should be guilty of a grave omission if he failed to acknowledge the unvarying courtesy and fairness exhibited by the French Commissioners during their somewhat protracted discussions. The chief points for consideration were—first, how far the regulations respecting times and modes of fishing in the seas beyond the territorial limits of the two countries might be modified. Under the old Convention there was a vast number of minute and elaborate regulations respecting size of meshes and other particulars which had always remained a dead letter. These the Commissioners of each country immediately agreed to sweep away. But there was one point upon which there was considerable difference of opinion—namely, in reference to oyster fishing. Under the old Convention the English and French bound each other not to dredge for oysters in the common seas between the 30th of April and the 1st of September. Constant complaints had been made of the oppressive effects of this law on the oyster fishermen of England by excluding them from the oyster grounds at the most favourable period of the season. The French attached very great importance to the restriction, not for the sake of the deep sea beds, but as a means of enforcing more completely the close-time on their own shores. The English Commissioners obtained, however, the important concession of an extension of the time of open fishing for six weeks—namely, to the 15th of June. The next point was the conversion of the cumbrous regulations respecting the conduct of the fishermen into a short and simple police code, in order to preserve the peace of the sea, to prevent collisions between the fishermen of the two countries, and to bring offenders to justice with all possible despatch. He believed that a satisfactory settlement had been arrived at on this head, and the most effectual mode of carrying out these desirable objects was allowed to be the enforcing of a greater uniformity in the system of marking, numbering, and registering boats for the purpose of ready identification. The third point was a more precise definition of the geographical limits over which the regulations should extend. There was considerable uncertainty on this point under the old Convention; and, in consequence, there was more than once exhibited the unseemly spectacle of the fishermen defying the authorities to enforce regulations they had issued. The English Commissioners agreed that while the ordinary police regulations should extend as far as they were concerned to all the seas surrounding the British Islands, the restrictive clauses respecting oyster fishing should apply only to the Channel. He might here state that the Convention applied only to the common sea beyond the limits within which, by International usage, the territorial jurisdiction of each country prevailed; that was to say, generally speaking, at a distance of three miles from the coast, and that neither under the Convention nor by the Bill did they interfere with the coast fisheries of Ireland. The last point on which the Commissioners agreed was the permission to the fishermen of both countries to sell fish on terms of reciprocity in the ports of either country, subject only to such regulations as might be necessary for the protection of the revenue. There was a difficulty with regard to bringing this arrangement into immediate operation, in consequence of there being still a duty, though much reduced, on foreign fish in France. They found, however, a strong wish on the part of the French Commissioners that this obstacle might soon be swept away. The Bill he asked to introduce was framed chiefly for the purpose of carrying this Convention into effect. It would have been brought in earlier, but that, owing to unforeseen delays in ratification, the noble Lord at the head of the Foreign Office was only able to lay the Convention on the table last Thursday. The opportunity had also been taken of consolidating and amending the laws respecting oyster fisheries in this country. As he hoped the Bill would be in the hands of hon. Members in a few days, he would only say further that the copy which was distributed last Session was merely a rough draft for consideration which was circulated by the printer's mistake, and was very different from the Bill he now asked leave to introduce.

GENERAL DUNNE hoped he had correctly understood the right hon. Gentleman that the Irish fisheries would be protected by the Bill. If not, they would be thrown open by this Convention to foreign fishermen for the first time. Some of the oyster fisheries were much more distant from the coast than three miles, the limit from the shore, which had been reserved by the terms of the Convention—one of the oyster fisheries—namely, that of Arklow being nearly twenty miles from the coast. He hoped that they would not be thrown open to foreign fishermen, and that all the oyster fisheries of Ireland would be protected by the Bill. Indeed, he did not see why Ireland should have been mentioned in the Convention, seeing that while endangering her fishing interests by opening them to the French, no reciprocal advantage would be obained by her.

Motion *agreed to.*

Bill to carry into effect a Convention between Her Majesty and the Emperor of the French concerning the Fisheries in the Seas adjoining the British Islands and France, and to amend the Laws relating to British Sea Fisheries, *ordered* to be brought in by Mr. STEPHEN CAVE, Mr. EDWARD EGERTON, and Mr. SHAW-LEFEVRE.

Bill *presented,* and read the first time. [Bill 42.]

REGISTRY OF DEEDS OFFICE (IRELAND).

MOTION FOR A SELECT COMMITTEE.

GENERAL DUNNE, in moving for the appointment of a Select Committee to inquire into the illegal application of the surplus fees in the Office of the Registry of Deeds, Ireland, said, those fees which were levied for the registration of deeds in Ireland long since accumulated to a very large sum. There was a specific clause in the Act of Parliament which regulated this office, which enacted that the fees should be levied only to the extent of the requirements of the office. He contended that they had reached an amount beyond what was required for this purpose, and although, he believed, that for the last two years the amount of fees alone received may not have equalled the expenditure in the office ; yet the actual receipts did so, and out of the large surplus which had accumulated little was required, and if the accounts were given fairly, an annual balance of receipt above expenditure would still be shown. He hoped the Committee he asked for would be agreed to by the Government, especially as its time would be taken up only for a few hours in inquiring into the subject.

MR. HUNT said, that when the right hon. and gallant Member brought forward that question on two different occasions he had endeavoured to give him the only answer which the facts justified, although that answer did not seem to be satisfactory to him. He did not see what good would be attained by the appointment of the Committee now asked for. There were certain regulations for the disposal of those fees, and the Return which the right hon. and gallant Member had moved for would show how the fees had been applied. Whether they had been rightly applied or not was a question of law, and not one for a Committee. By the Act bearing on the subject the registrar had every three months to ascertain the amount obtained from the fees and the sums paid in salaries and expenses, and then by a certain day the balance or surplus remaining had to be paid into the Bank of Ireland to the credit of the Consolidated Fund. That had been done ; but the Act went on to direct that certain duties were to be performed, the expense of which was to come out of the surplus fees, those duties comprising the preparation of certain indices and calendars, which it was desirable should be made out in a convenient shape. Years elapsed before the duties in question were performed. Since then, however, the indices and calendars had been prepared, extra clerks had been employed, and money had been voted to remunerate them. Therefore, what came into the Exchequer on the one hand was paid out of the Exchequer on the other ; and, as a matter of equity, there was no fair ground of complaint against the present arrangement. He trusted that the Motion would not be pressed.

GENERAL DUNNE said, he must totally dissent from the statements and explanations of his hon. Friend. It was so far true that certain duties had been neglected, and an arrear of business had some time since occurred in the Registry of Deeds Office, but only because the Government, having a surplus of fees in their own hands, would not pay the clerks to do the work ; and it had been a difficult matter to get a grant from them for the keeping up of the indices. He had himself at that time pressed it on the then Government, and in the end succeeded in obtaining from that large surplus a grant, which had enabled the clerks in the office to bring up the arrear of business. He denied that there was any right under the Act of Parliament to take more fees than were necessary for the requirements of the Registry Office, and it was expressly stated in the Act that no part of these fees should be considered part of the revenue of the country. Both the present and former Governments had very much neglected their duty in reference to this office, and the practice which had obtained was unjust and inequitable towards the people of Ireland. Any changes which the Treasury made, by the powers vested in it, for regulating the fees or *personnel* of this office, were to be stated to the House, and a Paper laid on the table explaining them in fourteen days after the meeting of the House, but no such statement has been made ; yet his hon. Friend stated he had increased the staff and expense of the office. He saw, however, it would be useless to divide the House upon his Motion.

Motion made, and Question,

"That a Select Committee be *appointed*, to 'inquire into the legal application of the surplus fines in the Office of the Registry of Deeds, Ireland,'"—(*General Dunne*,)

—put, and *negatived.*

LONDON COAL AND WINE DUTIES CONTINUANCE.—COMMITTEE.

Lord JOHN MANNERS, in moving that the House should resolve itself into Committee, referred to observations made on a previous evening by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), who had stated, in the course of the discussion raised by the right hon. Gentleman the Member for the City of London (Mr. Goschen), that the proper course to adopt in matters of metropolitan finance was, that the Government should advise the House as to the mode in which the necessary funds should be obtained, and that then the management of the works should be allowed to devolve upon the local authorities. He (Lord John Manners) was ready to adopt that principle, and it was embodied in the Bill he was about to ask leave to bring in. He had, however, in the first place, to move that the Speaker leave the Chair, in order that the question might be submitted to a Committee of the Whole House.

Mr. LABOUCHERE said, he wished to know from the noble Lord, whether the measure he proposed was identical with that which he brought forward last year, because the policy then attempted was most inequitable—it would enable the borrowing of money upon the securities of the Coal and Wine duties levied from the Metropolitan police area until the year 1888, and such a scheme ought not to be permitted. His hon. and learned Friend the Member for the Tower Hamlets (Mr. Ayrton) called attention to the principle, and said that, in his opinion, it was a financial system that would not be tolerated if embodied by the Chancellor of the Exchequer in his Budget. Last year he (Mr. Labouchere) gave notice of his intention to move that the Bill be read a second time that day six months, and he would certainly persevere in that course unless the area were limited, for the Metropolitan police area was one established for an entirely different purpose. The Bill would press very hard upon manufacturers and others within this area, and therefore he was determined to oppose it.

Motion *agreed to.*

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to further continue and appropriate the London Coal and Wine Duties.

Resolution *reported :* — Bill *ordered* to be brought in by Mr. Dodson, Lord John Manners, and Mr. Hunt.

Bill *presented*, and read the first time. [Bill 43.]

METROPOLIS GAS BILLS.

RESOLUTION.

Mr. AYRTON said, he believed that inquiries with reference to the Gas Companies of the Metropolis had been conducted with great advantage to the public, and moved that all the Bills relating to Gas Companies in the Metropolis be referred to a Select Committee of ten Members, five to be nominated by the Committee of Selection.

Motion *agreed to.*

Ordered, That all Bills relating to Gas Companies in the Metropolis be referred to a Select Committee of Five Members.—(*Mr. Ayrton.*)

COURT OF SESSION (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE, in moving for leave to bring in a Bill to amend the procedure in the Court of Session, and the judicial arrangements in the Superior Court of Scotland, said, Mr. Speaker: I propose to explain to the House shortly the provisions of the Bill; but it would be improper for me to go into details, because many of them are technical. My object in bringing the Bill so soon before the House is that the country generally may have an opportunity of considering the alterations which are proposed by the measure. The Court of Session consists of thirteen Judges, five of whom discharge the duties which are performed by the English Judges at *Nisi Prius* and Chambers, and there are two Divisions which constitute Courts of Appeal for judgments of a single Judge. Now, complaints have been made that delay has existed in the disposal of cases in the Court of Session. I admit that in the Divisions to which most of the cases are sent there has been delay, which results in this—that nearly twelve months of late have elapsed before the cases are disposed of. That is an amount of delay which I believe is not peculiar to the Courts in Scotland, but which also exists in the Common Law Courts here. It is, of course, very desirable to expedite the decision of cases, and the object of the measure which I now ask leave to bring in is to effect that desirable result. Now, what is proposed to be done is to extend the sittings of the Courts to some extent, and also to make certain arrangements which will enable the Courts to dispose of cases at times when they do not at present come before them. One of the ways in which this contemplated improvement is to be effected is, that instead of taking up what are called teind cases, with reference to teinds and stipends to be paid to ministers as at present on alternate Wednesdays, and which have the effect of occupying the Court and interrupting the proceedings of the day; instead of this, the Bill provides that no such cases shall be taken up on Wednesdays. It provides that on Mondays—on which days the Criminal Court at present sits—teind cases shall be taken up by the Court; and to enable the Courts to effect this, and also to get throuh other business, it is proposed that there shall sit in the High Court of Justiciary only one Judge, as in criminal trials on circuit, thus setting free two Judges, who are now occupied in trying cases which are very often of very trifling importance. Liberty, however, is reserved for the bringing in other Judges in cases of great importance. It is further proposed that there shall be a Court of Appeal or Review, which shall review the judgments of the Sheriffs upon matters of proof. There are matters of such general importance, involving points of law, that it is proposed that all such cases—cases depending upon proof—may be sent to this Court of Appeal. It is believed that this will tend to relieve very much the Court from the restriction which it very frequently finds in the disposing of cases which are caused by the long arguments upon proofs; and it is thought that by removing these from the general roll, and by sending them to a new court to be constituted, and to sit on Mondays, a considerable portion of arrears will be got rid rid of. I think that these provisions will afford considerable facilities for the disposing of cases before the Court. There is also a provision in the Bill which has been acted upon to a considerable extent already—namely, that whenever cases are in arrear to the extent of two months—that it to say, when cases which have been brought in at the commencement of May are not disposed of at the beginning of July—that then the Court shall have extra sittings to reduce the arrear, or to dispose of it, so that there shall not be cases in arrear more than two months. I hope that there will not be even that arrear in a short time. This provision, I have no doubt, will give satisfaction to the country; and I know that the Judges are very anxious to bring about such a result as I have stated. So much in reference to the arrangements of the Courts. Now, a few words in reference to the changes in procedure. The following matters are contemplated:—The period within which a party must come into Court and plead will be shortened considerably; the improved facilities of communication between one part of the country and another by railway will enable us to do that with safety. Then, in addition, it is proposed that decrees in absence may be taken by the agent or solicitor and the party without the intervention of counsel; that where the party has not within the proper time given in a defence, that then by application to the Judge a decree may be obtained without any further expense. It is also proposed that decrees in absence, which at present are liable to be opened up and reviewed within a period of forty years, shall be made final within a much shorter time, that is to say if personal service has been made upon the party, and notice been given to him after judgment has been had, that it will be enforced. I think that this is a remedy which will be considered of importance, for I venture to say that no one will contend that a decree should be subject to be reviewed for a period of forty years. It is also proposed, with a view to expedite cases, that pleading shall be given in, according to statutory terms provided in the Act, and that there shall not be an extension of the period for pleading, except on cause shown to the satisfaction of the Judge. The next provision is one which I regard as of very great importance. It is one for the bringing of the parties together, in order that they may come to the point at once, and decide whether there is to be proof in the case, and, if so, whether the proof is to be taken before a jury or before a Judge. Our Courts differ from the Common Law Courts of England in this respect—that it is not necessary in all cases, though it is in certain cases, to have them tried by jury. Our Courts rather partake of the nature of Equity Courts, and we are in this position, that the Court of Session exercises both a common law and equity jurisdiction. I think that this has given satisfaction, and there is no desire whatever for a separation of the two branches of the law. Well, then, there is to be a meeting before the Lord Ordinary for the purpose of agreeing as to whether the parties shall renounce proof. I should hope it will be in the power of the Judge to dispose of the case there. If it is to be tried by jury, he shall give instructions to that effect; or, if it it is to be tried before himself, he shall direct that it shall so take place. I cannot but think that the parties coming together in this way, will tend to bring to a point an important question, and thus shorten the case. The greater part of the delay in the preparation of a cause is owing to the absence of such a proceeding The next matter provided for is, that it will be in the power of the Judge to allow of an amendment of the record. In an Act passed in the year 1825, after taking the best advice that could be offered, including some of the most eminent English lawyers, provision was made that what is called the record should be closed, and that no amendment should be allowed. It is proposed in this Act that power shall be given to the Court, whenever sufficient cause shall be shown, to allow an amendment of the record up to the last moment, so that justice may not be defeated by a technicality; care, however, being taken that no improper advantage shall be taken by the party in fault, and that he shall pay such costs as the Court may think proper. This provision will, I think, be found of advantage; it is copied from some recent provisions made for England, and which, I understand, have been found to work well. At present it is necessary to appeal against any judgment of a single Judge, to one of the Inner Divisions within twenty-one days after judgment has been pronounced; and yet if the party allows twenty-one days to elapse, he would run great risk of it being afterwards held that he was foreclosed from bringing the case under review at all. This rule has not been very much abused for the purpose of delay, but parties are frequently driven to the Inner House, in order to avoid the risk of being foreclosed, and some delay does occur in those cases. What is proposed now is, that it shall not be necesssary to appeal from any judgment of a single Judge until the whole cause has been finally disposed of; but at the same time power is given to a single Judge, when he thinks it would be of importance to have a decision of the Inner House upon any judgment of his. If he gives leave, the interim Judge's opinion may be submitted for review by the Inner House. Another provision which is made to relieve the Judges to some extent, is that it shall be competent for the clerk of the Judge to dispose of what are called unopposed motions without the intervention of counsel, and without going to the Judge. If the motion be opposed, then the Judge will be appealed to, and whoever is found to be in the wrong will be liable to costs. There is also power given to abandon before a jury, equivalent to the right of non-suit in England. That is a power, which, I think, ought to exist in Scotland; and we propose that the Bill should contain provision to that effect. I now come to a question which I regard as one of general importance, and the proposition which I have embodied in the Bill is somewhat of a bold character. I allude to a matter relative to jury trials. I may explain to the House that according to the old law of Scotland, in criminal cases, which still subsists, the case is always submitted to a jury consisting of fifteen, one-third of whom must be special jurors, and the other ten what are called common jurors. Now, I do not propose to interfere with that arrangement so far as the Criminal Courts are concerned ; I do not propose to interfere with the constitution of the juries in the Criminal Court, although the number of jurymen in that class of cases in Scotland is larger than in England. Trial by jury in the Criminal Courts has hitherto worked so well that I am unwilling to disturb a system of such long standing. There is a great difference, however, in the case of trial by jury in the Civil Courts. The plan of jury trial in these Courts was instituted under a statute passed in the year 1815 ; but I do not know how it is, but it is the fact, that that mode of trial has not flourished in the estimation of the people. There can be no doubt that there is a considerable amount of the unpopularity attaching to the Civil Court generally arising from the existence of trial by jury. Indeed, until I had conferred with persons interested in the subject, and who gave me suggestions as to the framing of the present measure, I had no idea that the public feeling against this mode of trial was so strong. Many gentlemen who are amongst the most successful practitioners before the Court of Session, and gentlemen connected with the legal profession in Glasgow, expressed their desire to see jury trial in civil cases abolished altogether in Scotland. I am not prepared to go that length. I could not say that it would be right to abolish the system absolutely ; but it is essential that some modification of it should be introduced. An Act was passed in the year 1866 which gave the Court a discretion to withdraw a case from the decision of a jury, and allow the judges to take evidence in a certain class of cases which were formerly handed over to a jury. That Act has worked very well. There are, however, a class of cases—such as cases of libel—which I very much doubt whether it would be proper to remove from the cognizance of juries. Admitting, therefore, that the system of trial by jury in civil cases is in an unsatisfactory state, and that the existence of such a system deters many persons from appealing to the Court of Session for settlement of disputes, still I am not, as I have already stated, prepared to go the length of abandoning the system altogether. I propose rather to amend in some respects the number of jurymen who sit upon cases. In the Civil Court there are at present twelve. This number I propose to reduce to seven. I am of opinion that twelve is too large a number to deal properly with such complicated cases as frequently came before them, and that owing to this reason the jurymen are not so well able to consult together, nor are they so manageable as they would be if the number were reduced to seven. I am confident that if this alteration be effected, the result will, in the generality of cases, be much more satisfactory. I further propose, in accordance with the old law of Scotland, which divided jurymen into special and common — that of these seven two should be special jurymen and the remaining five common jurymen. This method has been found to work well in the Criminal Courts of Scotland, and I think it should be extended to the Civil Courts. There are, I regret to say, a great number of exemptions from serving on juries, established in favour of gentlemen who would otherwise form part of the special jury list ; and the result is that there is a very small jury list from which to select. Now, I venture to think that it is both for the interest of the public and of these gentlemen themselves that there should be a large and fair selection of persons who have hitherto been exempted from serving upon juries. I therefore propose to abolish all exemptions, except in the cases of ministers of religion and medical men. I would not even exempt the members of my own profession, unless it should be thought by the public that they would make the worst jurymen possible. The public have the power to challenge lawyers from serving on juries if they see fit to do so ; but if the public desire to exempt the profession altogether, I am sure those who would then be exempted would not be disposed to quarrel over the matter. All I desire is that the matter shall be fairly considered by the country. Passing to another portion of the measure, I must acknowledge that a great deal of delay arises from the system of remitting cases to accountants, who, however, have not the power of enforcing their orders. Now I propose to give them the power of enforcing their orders, which should be peremptory. The result will be to expedite this class of cases before the accountants, which at present occupy such a long time, owing to the parties themselves causing delay by not obeying the orders of the accountants, who, as I have intimated, have no power to enforce them. Then, again, there is what is called the Bill Chamber branch of the Court of Session, in which there is only one Judge who has the power of granting injunctions in certain cases; but it sometimes happens that before the injunction can be issued, the act threatened is done, and there is no remedy. I accordingly propose that the Chamber Judge shall have the power of ordering restoration against the act so done. There are certain further facilities given in the Bill for a more economical reviewing of proceedings in consequence of death or otherwise, and provision is made for affording facilities with regard to the payments that are to be made upon pleadings called fee-fund dues. The Bill of course contains a large number of details, all of which, I believe, will tend to improve the mode of procedure in the Court of Session. I feel confident that the measure will be recognized as conferring a benefit upon the legal profession as well as upon the public, because the profession can have but one interest, and that is, to make the Court of Session as popular and as accessible as possible. The interests of the public and the legal profession are in this respect coincident with it. It is not my intention to hurry the Bill through the House. I have brought it in at this early period of the Session in order that its provisions be carefully considered by the legal bodies before the commencement of the vacation of the Scotch Court. The custom has always been to submit such Bills to the consideration of the advocates and solicitors practising before the Court. It is quite possible that I may receive suggestions from these bodies which I may be able to incorporate with the measure when the Bill goes into Committee. As it is, I believe that the Bill will remedy almost all the grievances that at present exist. I beg to be understood that it will give me the greatest pleasure to receive any suggestion with the view of making the measure more efficient. I will not detain the House with any further remarks, but will simply move for leave to introduce the Bill.

Mr. Serjeant GASELEE said, that some time ago a Committee of the House had recommended that the number of Scotch Judges, which was at present thirteen, should be reduced to eleven. He would like to know whether the Bill contained any provision for carrying this recommendation into effect? His own opinion was that they might very easily take two Judges away from Scotland and add them to England, more especially in consideration of the recent proposal to increase the work of the English Judges by adding to the functions which they already discharged.

Mr. MONCREIFF said, he had not the advantage of hearing all that fell from the lips of the learned Lord just now; but he had been previously put in possession of the particulars of the Bill which his right hon. and learned Friend proposed to produce; and he had given it the fullest consideration, and could say without hesitation that he considered it to be a great improvement upon the existing state of things. Whether in some respects his right hon. and learned Friend had not gone further than might seem well to some persons, it was not necessary that he should say. He proposed among other things, what he (Mr. Moncreiff) thought would be an exceedingly valuable change. He meant that he proposed to use the Lords Ordinary, by forming them into a new and separate Court, for the purpose of hearing appeals from the Sheriffs. He thought that a very desirable arrangement, and he hoped he would make the Court so constituted an independent Court in the proper sense of the term. He thought it would be extremely undesirable that the calling of such a Court into existence should be made dependent upon the heads of the Court in the Inner House. It was not desirable that Lords Ordinary should be in a subordinate position in any sense, and he felt quite satisfied that if he constituted that Court for the purpose of hearing appeals from the Sheriff Court, with an independent jurisdiction, he would confer an immense boon, and a great despatch of the pleas of the Sheriff Court. The delay that at present took place in the Court of Session acted as a discouragement, and prevented people appealing from the decision of the Sheriffs. That was one observation upon the Bill. A second was—and he hoped the right hon. and learned Gentleman would give it serious attention—with regard to the trials by jury. The right hon. and learned Gentleman had made some observations with reference to the unpopularity of jury trials in civil causes. It was quite true that the system had not achieved all the success which was expected. There might be many reasons for that. When the jury trial was first introduced into the Civil Courts of Scotland, before the case went to the jury the proposition would be simplified and put into a single question or more questions than the jury were to decide. Eventually, however, from this state of things arose one of the great incumberances of the system. There were many reasons why he should ask his right hon. and learned Friend to bestow his serious consideration on this matter—quite certain that his proposal to create a Court of Appeal was a step in the right direction. With regard to what had fallen from the hon. and learned Member for Portsmouth (Mr. Serjeant Gaselee), it might be quite true that the nominal judicial staff of England did not bear the same proportion to the population as did that of Scotland; but in England the Judges were assisted by an immense staff of Law Officers, and the salaries of those officers in the Supreme Courts amounted to more than the salaries of the Judges in Scotland. They had chief-clerks in England who did a great deal of the work done by the Judges themselves in Scotland, and therefore they could not compare the mere number of Judges in the one country with that in the other. A good deal had been said lately about the falling off in the business of the Scotch Courts. It was true, he believed, that the number of cases introduced into the Court of Session was smaller than it was some years ago; but, in the first instance, his own experience led him to say—and he thought his right hon. and learned Friend would agree with him—that the class of cases were far higher and more important than they were when they first joined the bar. The reason of that had been the establishment of minor Courts, which had absorbed and swallowed up the cases of smaller importance. The Sheriffs' Courts not being like the English County Courts, they were competent in all questions, whatever their amount; and they had consequently absorbed a good deal of the minor business which in former days went before the higher Courts. Some hon. Gentlemen were, he knew, anxious to disturb that jurisdiction, but he trusted that it would not be disturbed. In regard to the complaints of delay which had so frequently been made, there were no doubt matters which had created a good deal of delay in isolated cases. That there were great delays in many cases was true; but when you came to represent that as the normal state of the Court, it was a totally different matter. There were, however, two matters in the administration of the Judicature Act which might very well be changed. The first was the practice of holding that the Inner House ought not to decide any question which had not been previously decided by the Outer. That, he thought, was a mistake. He did not think that the intention of the Judicature Act ever was that the Inner House should only act as a court of review upon the cases decided by the Lords Ordinary. The other matter was the principle which had been acted upon, he thought too closely, of refusing to decide the law until the facts of the case had been established. He thought that was unfortunate. It was more a practice than a principle; but he knew many cases in which the Court had refused to go into the law of the case until the facts had been proved, when it might well have done so. With these few observations he felt bound to give his right hon. and learned Friend his support in the Bill which he asked leave bring in.

SIR EDWARD COLEBROOKE said, he must tender his thanks to the right hon. and learned Gentleman for having undertaken the difficult task of reforming the Court of Session, both in its expense and procedure. Certainly, he was not disposed to complain that he had not adopted a bolder or more decided course. The proposals made had the appearance of meeting many of the complaints as to the practical working of the system. One complaint of the public was that the Court sat only half the year, that its sittings were so short, that certain days in the week were blank, that a considerable portion of its time was taken up with formal business which might be disposed of by clerks, and this evil was proposed to be got rid of by continued sittings at the end of each session. He thought the efficient business of the Court might be disposed of by a smaller number of Judges; and the question having been raised, he believed public opinion would support some such reform. He did not, however, say that any great saving would arise to the public; for if higher duties were thrown on the Court of Session salaries must be raised, and the result would very probaby be the number of appeals would be diminished. With regard to the juries, he doubted very much whether a reduction in the number of jurymen would be attended with any advantage. The system was, in fact, altogether condemned by public opinion. As far as he himself was concerned, he should be reluctant to see trial by jury abolished; but the subject was one that demanded the most serious inquiry. It was certainly worth inquiring how a system which had worked so well in England had so signally failed in Scotland. He doubted whether the best way to ascertain the difficulties of the case, or to satisfy the public mind, was to lay the provisions of the Bill before the legal profession, and suggested that the subject should be referred to a Commission or a Committee.

Mr. M'LAREN said, that since the Lord Advocate was inviting suggestions, he should take leave to make one, and commence with the subject which had been touched upon by his hon. Friend the Member for Lanarkshire (Sir Edward Colebrooke)—namely, the time of the Judges. There was a general opinion in Edinburgh, and, indeed, all over Scotland, that the time of the Judges was not fully employed. For example, the Criminal Courts sat on Monday but only occasionally, and that day was therefore declared a blank day for all the Courts. The Inner House Judges remained at home, and the Judge Ordinaries remained at home, and this in itself constituted an abuse that ought to be remedied in any new Bill. Another point was that in 1828 a rule was made for the convenience of the senior counsel employed at the bar—and he might say the senior counsel were in number (according to an article in the *Journal of Jurisprudence* of last month) just about equal to, or, in fact, rather fewer than, the number of the Judges—that the Courts of the single Judges should sit at ten o'clock in the morning, and the Supreme Courts should sit at eleven o'clock, or practically a quarter past eleven, in order that these counsel might be able to attend to their briefs in both Courts; and the practice of these Courts was to adjourn for half-an-hour for lunch in the course of the day, and to rise finally at four o'clock, the Courts of the single Judges rising at three o'clock. It was clearly impossible to do much business in the course of so short a time. He would, therefore, suggest that all the Courts should sit at ten o'clock; and this would, in his opinion, be a great advantage to the suitors and all parties interested. The present was not a right state of things, according to the general opinion of Scotland; he did not speak of the legal profession, but of the general public, which included poor litigants, who got into court, and had to pay largely in order to get out again. He would recommend the learned Lord not to be so solicitous about the opinion of the legal profession, who had opposed nearly all legal reforms in their Courts. He would rather appeal to the general good feeling of the public, and the good sense of the Lord Advocate to frame a good Bill. There was another matter he begged leave to suggest. Reference had been made to accounts. A great grievance in Scotland was, that the Courts, in place of doing something themselves, or by their chief clerks, in reference to matters of account, as was the case in England, remitted the business to Professional Accountants, who had in many cases to decide, not only as to the form of the accounts, but of the principle of law upon which they should be founded—becoming in fact accountant and Judge in one. The effect of this frequently was, that when an account was produced it was objected, not that it was a bad account as such, but that it was bad in regard to the principle on which it was constructed; and then the Court frequently ordered other accounts. The expense of doing this was something enormous. He (Mr. M'Laren) knew a case in which the accountants' bills amounted to nearly £3,000. Exceptions were often taken to the principle on which the account was made out—in other words, to the accountant's view of the law. The Court might find that the objection was well founded, and the subject was remitted to another accountant to make a report, and in that way an enormous expense was incurred. He therefore hoped that some provision would be introduced into the Bill, which would provide for the accountants being instructed at any rate as to the law which they had to frame their report upon before their account was prepared.

The LORD ADVOCATE: A question has been put to me as to whether it is purposed to reduce the number of Judges according to the terms of the recommendations made by a Committee which sat upon this subject, I presume in 1840. That, I think, is the last Committee which sat. Now, I will read the following extract which I find in the Report of that Committee. It is to this effect, that any reduction in the number of the Lords Ordinary seems at present impossible. The Committee state, further, that they had considered the administration of justice with the view of ascertaining whether the number of Judges could be reduced, and that they were not prepared to recommend such a reduction. It is plain, therefore, that the Committee of the House of Commons did not recommend any diminution in the number. [Mr. M'LAREN: I think there has been a Report since that time.] I think not. So far as I am personally concerned, I really do not care about the matter ; and if it should be found necessary hereafter to reduce the number of Judges, they can be reduced; but I scarcely think that it would be proper to reduce the number when the complaint is that they do not get through their work. It is said that a good deal of litigation is kept out of the Court in consequence of there not being that rapidity of discussion which there ought to be ; and we must expect a considerable increase in the business if a satisfactory result is arrived at. I am not prepared to say that the number of Judges ought to be diminished. It is impossible on an occasion like this to go into all the details of a Bill which embraces upwards of 100 clauses, without subjecting the House to inconvenience ; but I may say that many of the objections which have been raised this evening are provided for in the Bill itself. For instance, it is said that the Court ought to meet at ten o'clock. There is a provision in the Bill to that effect. As to the remark that delay arises in consequence of consulting the convenience of senior counsel, I can only say that in 1865 I brought that question before the Faculty, when a proposition was agreed to that no case should be adjourned for the convenience of counsel engaged in another Court. My hon. Friend opposite, who is at the head of our bar, gave me every assistance in the matter, and when the proposition was submitted to the Court it was agreed to ; and from that day there has been considerable improvement in the administration of the Courts—the cases being better disposed of than they were before, and with less delay. I hope, therefore, it will be understood that I have no desire to protect the interests of the senior counsel at the expense of the public ; nor do I wish to limit consideration of the Bill to legal bodies, because I know that commercial bodies also take great interest in the measure The Bill contains a provision, that on what are called their blank days the Lords Ordinary shall not dispose of motions or hear argumentative discussions, but sit for taking proofs on trials by jury. I have had conversation with one of the learned Judges, who devotes the greatest energy to the discharge of his duties, and he says that these blank days are frequently the busiest for judicial work, and for this reason, that he then considers the arguments which came before him during the hearing of a cause, before giving the decision which it is his duty to pronounce. The Equity Courts of England, which more nearly approach the Courts of Scotland, meet for three weeks, and then adjourn for a week, and have sittings after term. The Scotch Courts sit for two sessions without interruption, and have only a fortnight's recess at Christmas. These weeks of vacation have provided means by which the Equity Judges are enabled to prepare their judgments, frequently requiring a great deal of consideration before they are pronounced. I have, however, put in a proviso—although I have done so with some hesitation—that in their blank day the Outer House Judges shall make use of that day for the purpose of taking proofs.

Motion *agreed to.*

Bill to amend the procedure in the Court of Session and the Judicial Arrangements in the Superior Courts of Scotland, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary GATHORNE HARDY, and Mr. ATTORNEY GENERAL.

Bill *presented,* and read the first time. [Bill 45.]

COURT OF JUSTICIARY (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE, in rising to move for leave to introduce a Bill to amend the procedure in the Court of Justiciary in Scotland, said, the object of it was to lessen the expense of conducting criminal prosecutions, and also to diminish the inconvenience of requiring witnesses to attend in certain cases. He might inform the House that a system had existed for some time in Scotland of having what were called two diets, or two days of appearance, on the first of which the accused was asked whether he pleaded guilty or not. If he pleaded guilty he received his punishment, and then there was no necessity for summoning witnesses. If he did not plead guilty, then he had to appear on the second day and witnesses were summoned to attend. That had effected a considerable saving ; and he proposed that the same system should be established in the Justiciary Court, so that probably in one-half the cases it would not be necessary to have the witnesses present. They hoped to save in that way about £3,000 a year. Another provision of the Bill was that the jury instead of being cited as at present by an officer called the Messenger at Arms, which involved considerable expense, should be summoned by registered letter through the Post Office—a system which would be equally effective and much more economical. It was also proposed that, instead of three or more Judges sitting in a Criminal Court on a Monday to dispose of cases, one would be sufficient, as was the case on Circuit. If any important matter were to arise, it would be in the power of the Court to call in assistance. In this way the Judges would be made more available for the work it was proposed to give them.

Motion *agreed to.*

Bill to amend the procedure in the Court of Justiciary in Scotland, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary GATHORNE HARDY, and Mr. ATTORNEY GENERAL.

Bill *presented,* and read the first time. [Bill 46.]

House adjourned at half after Six o'clock.

HOUSE OF LORDS,

Tuesday, February 25, 1868.

MINUTES.]—PUBLIC BILL—*Committee*—Habeas Corpus Suspension (Ireland) Act Continuance* (18).

Report—Habeas Corpus Suspension (Ireland) Act Continuance* (18).

RESIGNATION OF THE EARL OF DERBY.

MINISTERIAL STATEMENT.

THE EARL OF MALMESBURY: My Lords, I regret to inform your Lordships that the Earl of Derby has felt himself, in consequence of failing health, obliged to tender his resignation to Her Majesty. Her Majesty has been graciously pleased to accept that resignation; and Her Majesty has been further graciously pleased to send for the right hon. Gentleman the Chancellor of the Exchequer, and has commissioned him to form a Government, as soon as possible. My Lords, I think it must be a subject of great pain to us all, on whichever side of the House we sit, when we see an eminent Statesman obliged to secede from public life and from the management of public affairs — not from any of those changes and chances in political warfare to which we are all accustomed, and to which we cheerfully resign ourselves—but from failing health and from illness, which takes him, as it were, before his time from among us, and deprives us of his advice and his abilities. But, my Lords, if it be painful to those noble Lords who sit opposite—and I know it must be so—how much more painful must it be for those friends who have served under him in office, and who have sat by him as I have done, through many dreary years of Opposition! My Lords, there is but one consolation for us under these circumstances. We may regret, indeed, that we should be deprived of his presence from the cause I have described; but, at the same time, we must hope that that very rest which he proposes to give himself will restore him to us in renewed strength, and that at all events as an independent Member of Parliament we may have the advantage of his experience and enjoy the charm of his eloquence. My Lords, I had rather say no more now on this subject, and I therefore proceed to state to your Lordships what I think would be the most convenient course to pursue with respect to the business of the House. I would suggest that we pass through Committee to-night the Habeas Corpus Suspension (Ireland) Act Continuance Bill. As it is necessary that the Bill should pass through Parliament and receive the Royal Assent before Sunday next, I would propose, not that, as on similar occasions, we should adjourn the House to some rather distant day, but that the House should sit on Thursday at two o'clock to read this Bill a third time, and that on Friday, when I believe the House of Commons meets again, this House should meet merely for the purpose of hearing the Royal Assent given to the Bill. I shall therefore propose that no business except that be transacted during this week in this House, and that this House, at its rising, do adjourn until Thursday to read the Habeas Corpus Bill a third time.

EARL RUSSELL: My Lords, there can be no possible objection to the arrangements proposed; but I may perhaps be permitted to express my sympathy with the noble Earl, and with his Colleagues, in respect to the loss they must sustain in no longer having the Earl of Derby at the head of Her Majesty's Government. Often as we have differed, and long as we have differed from him on many public questions, I could not fail always to entertain for the Earl of Derby those sentiments of regard and esteem which his great qualities were formed to inspire. With regard to others, the confidence which has been bestowed upon him by a great political party in this country is a proof of the confidence which he was well calculated to produce. With regard to the eloquence with which he defended his opinions in Parliament, the records of Parliament themselves will bear immortal testimony; and of course history must deal with his relation to public questions. I trust, with the noble Earl, that we shall see the Earl of Derby again in this House, and that, although the state of his health, which is so deeply to be lamented, may prevent him from ever again assuming an official position, yet we shall hear from him that clear and eloquent language of which no man in Parliament is so great a master, with which he can express the opinions that flow from his own breast, from his intelligence, and from his quick and fertile mind, and which is so well calculated, whenever he does speak, to inspire the respect and esteem of this House.

Motion *agreed to:* House, at rising, to adjourn till *Thursday.*

House adjourned at a quarter past
Five o'clock, till Thursday
next, Two o'clock.

HOUSE OF COMMONS,

Tuesday, February 25, 1868.

MINUTES.]—NEW MEMBER SWORN—Alexander James Beresford Beresford Hope, esquire, *for* Cambridge University.

RESIGNATION OF THE EARL OF DERBY.

MINISTERIAL STATEMENT.

LORD STANLEY: Sir, I have to announce to the House — and I do it with deep regret — that Lord Derby, in consequence of the state of his health, which, although improving, is still such as to render absolute repose from business necessary for a considerable time to come, has felt it his duty to tender to Her Majesty his resignation of the office which he holds; and Her Majesty has been graciously pleased to accept the resignation so tendered. I have further to state that, by Her Majesty's command, my right hon. Friend the Chancellor of the Exchequer is at present engaged in the formation of a Ministry. Under these circumstances, I am only following that which is the usual, and, I believe, has been the invariable, custom, if, upon the part of my right hon. Friend, I venture to suggest to the House the expediency of an adjournment until such time as the necessary arrangements shall have been completed. I much regret—and I am sure my right hon. Friend concurs with me in that regret—to have to interpose any obstacle in the way of the debate on a subject which is, perhaps, at this moment, the most important that can engage the attention of the House. But I think the House will feel that the circumstances are such as to leave us no option. If the proposition I have to make should meet with the general approval of the House, I will propose that we adjourn until Friday next.

COLONEL FRENCH: I should like to ask whether Committees are to sit in the meantime? ["Order, order!"]

LORD STANLEY: I move that this House do now adjourn until Friday next.

MR. GLADSTONE: So far as regards the Motion for Adjournment, under present circumstances, I should not have thought that it called for a single word from myself, so obviously is it dictated by the propriety of the case. But, with reference to the special cause, which the noble Lord has, by a singular destiny, been called upon to be the person to announce to this House, I cannot help expressing for myself a regret, which I am sure will be the universal sentiment, that a career so long, so active, and in so many respects so distinguished and remarkable as that of his father, should have been brought to a close by the failure of his bodily health and strength.

MR. MAGUIRE: As no other person rises, I wish to say that, as a matter of course, I concur with the general sentiment of the House; but as the noble Lord admits the importance of the debate that I was about to initiate, I wish to know from him what Government day the noble Lord will give me for bringing forward my Motion? ["Oh!"] If the noble Lord wishes it, I will defer my question until Friday; but I simply wish now to express my opinion — which is shared by many Members of the House — that I have a right to some indulgence from the Government.

LORD STANLEY: All I can say now is, that I am quite sure those who sit on this Bench are not less anxious than the rest of the House that the great subject which the hon. Member proposes to bring forward, and which no doubt he will bring forward with great ability, should be fully and speedily discussed.

Motion *agreed to;* House at rising to adjourn till *Friday.*

House adjourned at a quarter before Five o'clock, till Friday next.

HOUSE OF LORDS,

Thursday, February 27, 1868.

MINUTES.]—PUBLIC BILL—*Third Reading*—Habeas Corpus Suspension (Ireland) Act Continuance * (18), and *passed.*

Their Lordships met; and having gone through the business on the Paper, without debate—

House adjourned at a quarter past Two o'clock, till To-morrow, a quarter before Four o'clock.

HOUSE OF LORDS,

Friday, February 28, 1868.

MINUTES.]—PUBLIC BILLS—*Royal Assent*—Habeas Corpus Suspension (Ireland) Act Continuance [31 *Vict.* c. 7]; London Museum Site [31 *Vict.* c. 8].

BUSINESS OF THE HOUSE.

QUESTION.

LORD STANLEY OF ALDERLEY said, as there appeared to be no business before the House, he should like to ask, When the House would be adjourned; when it would be resumed; and what would be the course pursued?

THE DUKE OF RICHMOND said, he was at present wholly unable to answer that Question.

THE LORD CHANCELLOR suggested that it would be better for their Lordships to adjourn during pleasure, and to meet again at five o'clock, when probably this uncertainty might be put an end to.

Their Lordships adjourned accordingly. At five o'clock the sitting was resumed, when, on the Motion of the Duke of RICHMOND,

House adjourned at Five o'clock, to Thursday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, February 28, 1868.

MINUTES.]—NEW WRIT ISSUED—*For* Northampton County (Northern Division), *v.* George Ward Hunt, esquire, Chancellor of the Exchequer.

RECONSTRUCTION OF THE MINISTRY—MINISTERIAL STATEMENT.

LORD STANLEY: Sir, in consequence of a communication which I have received from my right hon. Friend, now First Lord of the Treasury, who is still, I believe, in attendance upon Her Majesty at Osborne, I regret to say it is necessary that I should ask the House to agree to a further adjournment until Thursday next. I believe that, comparing the present with former cases, where a Ministry has had to be constructed or re-constructed, the time which my right hon. Friend asks for will not be found to be exceptionally long; and I know from him that he considers it impossible that the arrangements can be completed at an earlier period. I shall, therefore, move that this House, at its rising, adjourn until Thursday next. I may, perhaps, take this opportunity of answering the Question which was put to me on Tuesday by the hon Member for Cork (Mr. Maguire). In reply to the Question which the hon. Member then put, I would say, on behalf of my right hon. Friend, that we shall be prepared to give a day for the Irish debate, which was to have come on on Tuesday last. I am not authorized or enabled to fix the precise day; but it will be announced on Thursday next, and it will be as early a day as possible.

MR. GLADSTONE: I do not rise for the purpose of offering any opposition to the Motion which has been made by the noble Lord; but I confess I am not entirely of his opinion—so far as my recollection goes—that upon an occasion when the Prime Minister has unfortunately been compelled to retire, and when some few changes have taken place in the Government, it has been usual to ask the House of Commons to suspend the progress of public business for so long a period as ten days. I am certainly mistaken in my remembrance if that has been the case; and therefore, while I am very far indeed from thinking that we ought to object to the proposal, I do not think it ought to be acquiesced in without putting it upon record that that must be done upon special grounds. I freely admit that there are special grounds in this case. It is quite true that upon Tuesday last Her Majesty's Government was prepared to make a declaration of Irish policy ; but, at the same time, we must all feel, I think, that, owing to the prolonged and unhappy absence of the noble Earl then at the head of the Government from London, it could not but be that the Cabinet must have approached the consideration of that question in a partially crippled or restrained condition. And I own it is very much with reference to the extreme gravity of the questions we shall have to consider during the present Session with respect to the sister country, that I should feel a special reluctance, even if I were inclined upon other grounds, to show any disinclination to accede to the proposal of the noble Lord. I think that Her Majesty's Government, having undergone a modification, of the precise nature and extent of which, of course, we who are outside cannot at present estimate the amount and significance—Her Majesty's Government being charged with these grave responsibilities, and asking this time at the hands of the House—I do not look at it merely as a question whether the formal arrangements of election and re-election would warrant the request ; but I think, upon a grave consideration of the policy they will have to dispose of, that they are entitled to expect, both on their own account and on account of the country, that they should not be unduly pressed for time ; consequently, I freely and cheerfully, upon these special grounds, accede to the proposal of the noble Lord, that another week should be granted before we proceed to business, although we must all be aware that we shall then have to commence the business of the Session, which promises to be severe rather than otherwise, at a very much later period—later, I think, practically, by a whole month—than is usual.

Motion *agreed to.*

House, at rising, to adjourn till *Thursday* next.

PUBLIC SCHOOLS BILL.—QUESTION.

In reply to Mr. NEWDEGATE,

MR. WALPOLE said, that on Thursday next he proposed to go into Committee, *pro formâ*, on this Bill for the purpose of inserting certain Amendments, and that he should be prepared, upon that day, to state when he would proceed with the measure.

POSTAL—STEAM COMMUNICATION BETWEEN ENGLAND AND MALTA.

QUESTION.

SIR GEORGE BOWYER said, he wished to inquire how the matter now stands regarding steam communication between this Country and Malta ; and whether the Government will endeavour to prevent the cessation of such communication by means of the steamers of the Peninsular and Oriental Company ?

MR. ADDERLEY said, in reply, that there were several propositions at present before the Government for a new Mail service between Marseilles and Malta. The Government had not yet decided which of those propositions was the best. He hoped, however, to be able to inform the House shortly of a satisfactory substitution for the service between Marseilles and Malta having been made.

IRELAND—DIETARY OF COUNTY PRISONS.—QUESTION.

MR. BLAKE said, he wished to ask the Chief Secretary for Ireland, When the Report of the Commissioners appointed to inquire into the Dietary of County Prisons in Ireland will be presented ; and if he proposes to introduce a Bill to amend the Laws relative to County Prisons in Ireland during the present Session ?

THE EARL OF MAYO, in reply, said, the Report would be laid on the table of the House that evening. Inquiries had been made into the whole subject, and the Commissioners were generally of opinion that there had been a deficiency of dietary ; but at the same time they were much struck by the healthy appearance of the inmates of the gaols. They recommended that there should be a classification of prisoners in Irish gaols as in England, and as that could only be effected by legislation, he proposed to bring in a Bill very shortly with that object. The Commissioners also recommended that an additional meal should be added to the dietary of the prisoners in all the gaols in Ireland, and that there should be a change as regarded variety in their food. Next week he proposed to bring in the Bill referred to by the hon. Gentleman.

IRELAND—MEDICAL OFFICER OF MOUNTJOY CONVICT PRISON.

QUESTION.

MR. BLAKE said, he would also beg to ask the Chief Secretary for Ireland, Whether it is the intention of the Government to retain Dr. Young as Medical Officer of the Mountjoy Convict Prison, after the following verdict of a coroner's jury regarding the death of a prisoner under Dr. Young's care:—

> "We find that the said Matthew Lynch died at the Mountjoy Prison on the 12th of February of pulmonary consumption, and we are of opinion that the deceased should have been sent earlier to hospital, and that the doctor should have been more attentive to extern patients ?"

The Earl of MAYO said, in reply, that he had directed a careful inquiry to be made into all the circumstances of the case, and with that view Mr. Lentaigne, one of the Inspectors of County Prisons, and Mr. Hamilton, a Poor Law Inspector, had been appointed to make the inquiry. The investigation began that day, and he had every reason to believe it would shortly be concluded.

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.—QUESTION.

Mr. KINNAIRD said, he wished to ask, Whether the Representation of the People (Scotland) Bill, which stands first on the Notice Paper for Monday, will be taken first on Thursday next ?

Lord STANLEY: I am not able to answer that Question.

SPAIN—CASE OF THE "TORNADO."

QUESTION.

Mr. WYLD said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he will lay the further Correspondence relating to the *Tornado* on the table of the House ?

Lord STANLEY: Whatever further correspondence there is shall be laid on the table without delay.

House adjourned at a quarter before
Five o'clock, till Thursday next.

* * *

HOUSE OF LORDS,

Thursday, March 5, 1868.

MINUTES.]—*Sat First in Parliament*—The Lord Aveland, after the Death of his Father.

Public Bills—*First Reading*—Legitimacy Declaration (Ireland)* (27).

Second Reading—Court of Appeal Chancery (Despatch of Business) Amendment* (20); Public Departments (Extra Receipts)* (25).

THE NEW ADMINISTRATION.

MINISTERIAL STATEMENT.

The Earl of MALMESBURY: My Lords, on Tuesday, the 25th of last month, I had to inform your Lordships that the Earl of Derby had resigned the office of Prime Minister, and that Her Majesty had been graciously pleased to command the then Chancellor of the Exchequer, my right hon. Friend Mr. Disraeli, to form an Administration as soon as possible. I say, my Lords, "as soon as possible,'' because I was not correctly reported in my former statement. I was supposed to have said —and a very natural mistake it was—"if possible," which words have since given rise to some remarks and witticisms on the part of journalists who assumed that I had made that statement. It is now my duty to inform your Lordships that Mr. Disraeli has formed an Administration, and that it is now complete. I think your Lordships, when you consult precedents and look back to circumstances analogous in their nature, will find that it would be hardly possible for my right hon. Friend to have met Parliament in his new capacity sooner than he has done, although he is most anxious, as we all are, that Parliament should enter at once upon the consideration of the very important questions which must occupy its attention during the present Session. My Lords, so small are the changes in the *personnel* of the Cabinet, being confined simply to two Ministers, that I may call it almost the same Cabinet as that which preceded it; but certainly I may say with confidence that its policy is and will be the same as that of the Administration of Lord Derby. Lord Derby, up to the last moment at which he resigned office, has been entirely cognizant of all our deliberations and resolutions; he has formed part of our councils as if he had been in London in person; and up to this very moment our policy, which will soon be developed in the House of Commons and to your Lordships, meets with his entire approbation. No doubt, from the character of the measures which will be propounded, this must be a very important Session. The Government has to proceed to perfect that great work of Parliamentary Reform which it began last year. The Reform Bill for Scotland and the Reform Bill for Ireland will have to pass through both Houses of Parliament. The general call for extended education for the people has received very serious consideration, and a Bill on the subject will speedily be presented to one of the two Houses of Parliament. We have had the misfortune to enter office at a moment when we find the liberties of Ireland shackled, and exceptional laws prevailing in that country. It is, indeed, a sad necessity, and it will be our duty, no doubt, to direct our most earnest consideration to the removal of those evils which exist in Ireland, and which are, with more or less truth, supposed to be the real cause of disturbance there. I think, however, your Lordships will agree with me that as, on a very early occasion—within four or five days from this time—an ample declaration of our Irish policy will be made to the House of Commons, it could not be advantageous to the public service, or for the convenience of your Lordships, that I should now go into details of what our policy is to be. If I were to do so, it would probably lead to misunderstanding and misrepresentation, and give rise to a desultory debate which would not be advantageous to the general welfare, and would not assist us in carrying through the measures we shall soon lay before the country. All I can now say is, and I repeat it here—that our policy will be the same as to its guiding principles as that by which Lord Derby's Government was actuated up to the last moment; that we are most anxious to remove all grievances which can be possibly removed without creating still greater anomalies and interfering with the spirit of the Constitution.

Earl RUSSELL: With regard to the change which has taken place in the formal character of the Cabinet, there can, I imagine, be no objection in point of precedent to such a change. It has not been unusual for the Leader of the House of Commons, when the Prime Minister has been removed by illness or, still worse, by death, to ask for an adjournment with a view to the formation of a new Ministry; but looking at the new Ministry which has been formed, I cannot avoid making the protest which I made on former occasions with regard to Lord Derby's Ministry, that I think no confidence can be placed in a Government which openly professes to say one thing and to mean another. We now know that for three years the Government has been carried on upon the principle that, having declared there ought to be no reduction whatever in the franchise, the Ministers of the Crown, while they were persuading people to follow them in that course, meant all the time to make a larger reduction in the franchise than was proposed by the Liberal party. The consequence was a course of deception—a course which might be called by another name—and which, I think, ought to prevent any reliance being placed in a Government which openly avow that they do not mean what they say, and which openly profess one thing and mean another.

The Duke of MARLBOROUGH: I am really at a loss to understand the meaning of the allusion of the noble Earl. He says that the Government of Her Majesty—which was recently the Government of Lord Derby, and is now the Government of my right hon. Friend the late Chancellor of the Exchequer—has for three years been carried on on a system of positive deception; and that for the three years during which that Government has been in office, the pretence put forward was that no reduction of the franchise was intended to be effected, while, covertly and at the same time, the Government were meditating a considerable reduction, much lower than that which had been advocated by the noble Earl opposite when he was in Office. The true state of the case was this—that as soon as the Government of Lord Derby came into existence, as soon as the time arrived for the meetings of the Cabinet to be held, at which it could be properly considered, the subject of Parliamentary Reform immediately occupied their attention, and in the very next Session of Parliament, the matter was brought before the House with a proposal that was ultimately adopted by Parliament. Whatever opinions the Government of Lord Derby may have entertained previously; whatever opinions the necessities of the time forced upon them subsequently—there was no question and no hesitation that when the time came for proposing an adequate reduction of the franchise, that proposition was made in a way consistent with the Constitution of the country, and in an open and straightforward manner.

Earl RUSSELL: If the noble Duke wishes to know the meaning of what I said, I must refer him to a speech made by the present Prime Minister at Edinburgh, in which the course taken by the Government was not called a course of deception—it was not called, as Mr. Disraeli formerly called the Government of Sir Robert Peel, "an hypocrisy," it was called a "process of education." But the use of that word does not prevent the fact being quite clear, which the present First Lord of the Treasury did not endeavour to excuse or apologize for, of which he even boasted, that during seven years during which the fears of the country had been excited respecting a reduction of the franchise against which Mr. Disraeli protested in the House of Commons, afterwards congratulating the electors of Buckinghamshire that no such reduction of the franchise had taken place, during all that time he had been educating his party with a view to bring about a much greater reduction of the franchise, and what he would at one time have called a greater "degradation of the franchise" than any which his opponents had proposed. It was by that means that many gentlemen who formerly were members of the party to which I have the honour to belong, expecting that the Tory party would never reduce the franchise, were induced to desert their own colours and go over to the party of Mr. Disraeli, believing that they were thereby insuring the country against any lowering of the franchise. That was the promise which induced these gentlemen to withdraw their adhesion to the late Government; and these also were the professions which induced the Earl of Carnarvon, Viscount Cranborne, and General Peel to join the Government of Lord Derby, believing that no such measure would be proposed. We can all remember in what indignant terms Lord Carnarvon, in the course of last Session, declared that he was no party to the attempt to persuade others to agree to the lowering of the franchise while they were themselves not persuaded that the lowering of the franchise was necessary. It is, I believe, a thing unexampled in the history of party that such a deception, or such an "education" —if you choose to call it so—should have taken place. It is a course of conduct, I must say, which not only men like Mr. Fox, Earl Grey, or Lord Althorp would have spurned, but which men like Mr. Pitt, Lord Liverpool, the Duke of Wellington, and Sir Robert Peel would likewise have disdained to adopt. It is a course of conduct which destroys all trust and reliance upon Governments, because we never know that what is declared to-day as the solemn intention of the Government may not be disavowed to-morrow as not having been their intention, and that their course may not be quite different.

THE APPROPRIATION ACT IN VICTORIA.

MOTION FOR AN ADDRESS.

LORD **LYVEDEN**, premising that he wished a statement of the whole case to be laid before their Lordships, moved that an humble Address be presented to Her Majesty for—

Copy or Extract of further Correspondence respecting and arising from the Non-enactment of the Appropriation Act in Victoria and the Recall of the Governor of the Colony, since the Letter from the Right Hon. C. B. Adderley, M.P., to Sir C. Darling, K.C.B., dated 7th March 1867, with the Enclosure.

THE DUKE OF **BUCKINGHAM** said, that the Papers would be ready in the course of three or four days; but they probably would not carry the history of affairs in the Colony so far as was expected.

Motion *agreed to.*

Address for Copy or Extract of further Correspondence respecting and arising from the Non-enactment of the Appropriation Act in Victoria and the Recall of the Governor of the Colony, since the Letter from the Right Honourable C. B. Adderley, M.P., to Sir C. Darling, K.C.B., dated 7th March 1867, with the Enclosure.—(*The Lord Lyveden.*)

TENURE (IRELAND) BILL.—QUESTION.

THE EARL OF **MALMESBURY** said, that the noble Marquess who had brought in this Bill had given notice of his intention to move the second reading on Monday next. He wished to ask the noble Lord, Whether it would not be convenient to postpone the second reading to the following Thursday? He had just given reasons which sufficiently showed the desirability of putting off the debate for a day or two.

THE MARQUESS OF **CLANRICARDE**, in assenting to the postponement, expressed the hope that the debate would proceed on Thursday, and that the postponement would not involve any delay in the appointment of the Select Committee.

LEGITIMACY DECLARATION (IRELAND) BILL [H.L.]

A Bill to enable Persons in Ireland to establish Legitimacy and the Validity of Marriages, and the Right to be deemed natural-born Subjects—Was *presented* by The Lord SOMERHILL; read 1ª. (No. 27.)

House adjourned at half-past Five o'clock,
till To-morrow, a quarter
before Five o'clock.

HOUSE OF COMMONS,

Thursday, March 5, 1868.

MINUTES.]—NEW MEMBER SWORN—The Marquess of Lorne, *for* Argyleshire.

PUBLIC BILLS—*Ordered* — Fairs (Ireland); Metropolis Gas.*

First Reading—Fairs (Ireland) [48]; Metropolis Gas* [49].

Second Reading — Capital Punishment within Prisons [36]; Election Petitions and Corrupt Practices at Elections [27]; Sea Fisheries* [42]; London Coal and Wine Duties Continuance [43]; Judgments Extension* [34]; Sale of Liquors on Sunday (Ireland) [31].

Committee — Public Schools* [24]; Railways (Extension of Time)* [39].

Report — Public Schools* [24-47]; Railways (Extension of Time)* [39].

Withdrawn—Railway and Gas Shares* [23].

METROPOLITAN TRAMWAYS BILL.

(*By Order*) SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. HARVEY LEWIS, in moving that the Bill be read a second time that day six months, said that, as the proposal, very seriously affected the interests of the metropolis, he hoped the House would consider very carefully before deciding to refer it to a Committee in its then form. He thought that if it were considered desirable to make any number of tramways in the metropolis, the direct and proper course would be to refer the whole question to a Committee, in order to have the metropolis mapped out, and to have it decided where tramways should be placed and where they should not. At present the streets of London were too narrow, and if half of the present width were to be occupied by a tramway, those streets would many of them be made absolutely impassable. The Bill was what may be described as a fishing Bill. It had no real company at the back of it, but was in the hands of persons who would, no doubt, be able to make money of it when passed. The article of association stated that the Company was the Metropolitan Tramways Company (Limited), and that the registered offices of the Company would be "situated in England." Yet this was a company which proposed to take power to break up twenty-six miles of streets in London. The Company was stated to have a capital of £450,000, but who were the proprietors? One of them—a very respectable man, no doubt—described himself, or was described. as a financial agent; the next was also a financial agent; the third was a well-known bookseller in Parliament Street, who is down for one share; then there was a "merchant," a "shipbroker," and an "auctioneer's clerk," from Camberwell, who holds one share. He would now call attention to some of the clauses. The Company proposed to take power to make iron tramways without asking the consent of the authorities of the parishes through which they would run, and there were other clauses of an equally extraordinary and objectionable character. This was not the first time either that this proposition had been before the House. The Bill further proposed to take powers to break up the roads in all places where such a course was necessary, in order to the laying down of the tramways, a proceeding which would entail an enormous expense upon the ratepayers; and, in addition, it was proposed to give power to take up pipes in streets and to break into drains. The company did not wish to purchase land for their tramways—they wanted to take the open streets, and create for themselves a monopoly within them. When the proposition, or one very similar to it, was made before, in 1858 and 1861, Lord Llanover (then Sir Benjamin Hall) proposed, on the Order for the second reading, that the Bill be a second time that day six months, on the ground that it would be very detrimental to the public government of the metropolis. The Bill was on that occasion thrown out. On the subsequent occasion, in 1861, a similar fate befel the measure, Mr. Massey, the then Chairman of Committee, opposing it strongly, on the ground that it ought to have been introduced as a public, instead of as a Private Bill. That objection, apposite then, was much more apposite now that the Bill proposed to affect very materially the public interests of the metropolis. He therefore hoped, for these and other reasons, that the House would consider well before consenting to hand over the metropolis to the auctioneer's clerk and his influential companions.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Harvey Lewis.*)

MR. SEELY supported the second reading of the Bill. It was proposed to lay down tramways—with double and single lines—in the metropolis, but the rails were to be flush with the streets, and the flanges of the car wheels would run in a groove not more than three-quarters of an inch wide from about a quarter to half an inch deep, so that vehicles could pass along or even over them. So far from doing any injury to the ratepayers the company would do them considerable benefit, because the company would be bound to make good the roads which they took up, and to keep them in repair for a width, in the case of double lines, of sixteen feet, and in the case of single lines of seven feet six inches. The Bill could go before the ordinary Select Committee, and the objections to it, which were mere questions of detail, could be discussed better there than in the House. The benefits which these tramways would give to the metropolis would be very considerable. The tramway cars would carry twice the number of passengers carried by omnibuses, and would save the employment of a very large number of horses. That the metropolis did not look with very great fear or suspicion upon this Bill was shown by the fact that of the fourteen different authorities connected with the districts in which the lines were proposed to be laid, seven did not oppose the Bill in any shape, five did not oppose the preamble, but had petitioned with a view of obtaining clauses, and only two really opposed the measure. In the United States and Canada tramways were in successful operation, and there would now be as much opposition to their removal as was originally offered to their introduction. The accidents in New York, where sixty-three miles of tramway had been laid down, were considerably less, according to the testimony of the coroner, than those attending the ordinary omnibuses, and in 1866 70,000,000 passengers were thus conveyed, 5,500 horses being employed, whereas the London General Omnibus Company required 6,600 horses for the conveyance of 41,000,000 passengers. The cars were more commodious than omnibuses; to get in and out of them was easier, and they were more quickly started and stopped, while the speed was greater. In America they were used by all classes—physicians thus going to their patients, ladies to shop, and artisans to work. He hoped, therefore, the House would allow the Bill to be referred to a Committee in the ordinary way.

Mr. MELLER also supported the second reading of the Bill, urging that although the system of tramways previously adopted in this country was dangerous, the one now proposed was a totally different thing. The present system, wherever established, had been most successful, and it formed a very cheap and desirable mode of conveyance.

Mr. THOMAS HUGHES, believing the present locomotion of the metropolis, as compared with other great capitals, to be the slowest, the most dangerous, and the most expensive, was of opinion that the introduction of tramways would make it cheaper, less dangerous, and more expeditious. The Bill might require alteration in Committee, but it brought the principle of tramways fairly before the House.

Mr. PEASE said, that he could lay before the House the result of some experience upon the subject. In the county which he had the honour to represent the tramway system had been tried, and it was found to be a perfect nuisance. That was at Darlington, a place not very thickly populated, and danger had arisen from the tramway to foot passengers, to horses, and to carriages. Of course, in a great metropolis like London, it was impossible to say to what extent the danger might go, and he trusted the House would stop the progress of a Bill fraught with so much danger to life and property.

Mr. CRAWFORD said, he found it stated in a work recently published by a nobleman (the Marquess of Lorne) who had lately been returned to that House, that the result of the adoption of the system of tramways for omnibuses in New York was the frequent dislocation of the wheels of all other carriages. He also hoped the House would reject this Bill.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

INDIA—THE COMMISSION ON CURRENCY LAWS.—QUESTION.

Mr. WHITE said, he would beg to ask the Secretary of State for India, If it is true that more than fourteen months ago a Government Commission recommended a Gold Currency for India; and, if so, whether that recommendation will be carried into effect?

Sir STAFFORD NORTHCOTE said, in reply, that at the beginning of 1866 the Government of India issued a Commission to inquire into the operation of the present

Currency Laws in that country, and especially of the paper currency, and they also added to their investigation the question whether it was desirable to introduce a gold currency into India. The Commission made their Report at the close of the same year, which contained a great many recommendations and suggestions as to the paper currency, and also a general recommendation as to the introduction of a gold currency. That Report was forwarded home by the Government of India in January last, with a statement that they would very shortly communicate their views on the subject. The Home Government had, however, never heard from them since on the matter, he therefore supposed that the subject was still under their consideration.

MR. WHITE said, he wished to know, whether the Report of the Commission would be laid on the table?

SIR STAFFORD NORTHCOTE said, the Report was rather voluminous, but he would see whether it could be done.

IRELAND—POLICE BARRACKS.

QUESTION.

LORD OTHO FITZGERALD said, he wished to ask the Chief Secretary for Ireland, Whether a Circular issued to the Proprietors of Police Barracks in Ireland, calling upon them to put up certain iron fortifications upon plans enclosed, has been acceded to; and, if not, whether those Barracks are to remain in an indefensible state, or what further steps the Government propose to take in the matter?

THE EARL OF MAYO, in reply, said, the Government were merely tenants-at-will of nearly all the Police Barracks in Ireland. It had been found that there was a great necessity for improving and strengthening some of them, and consequently a proposal was made by the Government to the proprietors, that if they would undertake to pay the expenses of making them more commodious and defensible, the Government would pay 5 per cent upon the outlay; and further, that if the police should be removed from any of the Barracks, the proprietors should be repaid their outlay, and the Barracks remain the property of the Government. That, he considered, was a fair proposal, and he might state that several of these proprietors had availed themselves of the offer, and were proceeding to improve the Barracks. With regard to some of these Barracks, the Government proposed to take leases of them for terms of twenty-one years.

NAVY—GREENWICH HOSPITAL, &c.

QUESTION.

MR. SEELY said, he would beg to ask the First Lord of the Admiralty, Whether he will lay upon the table of the House a Copy of the Proceedings and Report of the Admiralty Committee which, on the 5th August, 1867, he stated had been appointed to inquire into the management and expenditure of Greenwich Hospital; and, when the following Returns will be in the hands of Members:—1. Ships Sold, ordered 9th May, 1867, and presented 15th August, 1867; 2. Iron Ballast, ordered 7th May, 1867, and presented 15th August, 1867?

LORD HENRY LENNOX said, in the absence of his right hon. Friend the First Lord of the Admiralty, he had to state that there would be no objection on the part of the Admiralty to lay on the table a Copy of the Proceedings and Report of the Greenwich Hospital Committee when they received it. Since the inquiry was instituted the scope and tendency of it had been enlarged. The Committee were now considering their Report, and he had the authority of the Chairman, the Member for North Essex, for saying that they hoped to be able to conclude their labours in about ten days or a fortnight. With regard to the second part of the hon. Member's Question, the Return referred to was a most voluminous one, and had to be prepared by three different Departments of the Admiralty. Two of those Departments had done their part of the work, but that of the third, the Accountant General, was still unfinished, although many of the clerks had been obliged to work over hours to complete it; yet it was hoped that, in the space of about a week, that Return would also be in the hands of the hon. Gentleman. As to the Return relating to the Iron Ballast, when the hon. Member moved for it last year he had distinctly told him that there was no possible chance of its being in his hands till the middle or end of the Session of 1868. This Return was for all the Iron Ballast the property of the Crown, and therefore included all that was, not only in their various establishments at home and abroad, but also in the holds of all Her Majesty's Ships in commission; and he saw no reason now to qualify the statement which he had made to the hon. Member last year on that point, but the contrary, and he thought the hon. Gentleman would be extremely fortunate if the Return in question was in his hands before the present Session closed.

POSTAGE FROM ABYSSINIA.

QUESTION.

Mr. BUTLER said, he wished to ask the Secretary to the Treasury, If it is true that the Officers at Senafé are unable to procure a supply of postage-stamps, and that, in consequence, their letters to England are charged at an increased rate; and, whether the authorities will in future provide a sufficient supply, in order to the avoidance of inconvenience and expense?

Mr. SCLATER-BOOTH said, in reply, that the Post Office Establishment connected with the Abyssinian Expeditionary Force was a branch of the Bombay Establishment. It therefore devolved on the authorities at Bombay to provide for the proper distribution of postage-stamps to the Army. The Postmaster General, however, having heard of the inconvenience to which the hon. Gentleman referred, had given notice that the fine of double postage would no longer be enforced in the case of letters from Abyssinia. He had also ordered arrangements to be made for a better supply of postage-stamps in that country in future.

CHARGES BY THE DEAL BOATMEN.

QUESTION.

Mr. Alderman LUSK said, he wished to ask the Vice President of the Board of Trade, Whether, having reference to the cases of the ships *Kit Carson* and *Bazaar*, as detailed in the Report made by Mr. Montague Bere and presented to this House, he intends to take any further steps; and if he thinks it will be possible to frame a Measure, to be passed into Law, which will help to protect English and Foreign Vessels from the very large and apparently exorbitant charges that are so often exacted by Deal boatmen when ships are placed in necessitous circumstances?

Mr. STEPHEN CAVE said, in reply, that it was not intended to take any further steps in the cases to which the hon. Member referred. The *Kit Carson* and *Bazaar* were both American vessels. Therefore the Board of Trade had no power over the Captain's certificate, supposing him in fault, and though some of the witnesses gave their evidence in a very discreditable way, it was doubtful whether proceedings against them for perjury would be successful. The great advantage of these inquiries was the publicity given to these disgraceful proceedings. That this had not been without fruit was shown in the case of the *Olivia*, where, in consequence of the exposure by the Board of Trade inquiry, the shipowner refused to pay more than £150 of the agent's claim of £628, and succeeded in defending an action for the balance on the 25th of last month, and where criminal proceedings had been instituted by Lloyd's Salvage Committee against three of the parties concerned. It was his belief that one of the principal causes of this abominable extortion which disgraced us in the eyes of foreign nations was the want of means of obtaining speedy settlement. The arbitration was a mere farce, and this enormous injustice was borne as a less evil than the detention of the ship, or a suit in the Admiralty Court, or before the Cinque Ports Commissioners. He fully agreed with Mr. Montagu Bere that it would be very desirable that some impartial tribunal should at once, and on the spot, settle what charges should be allowed in case of goods supplied, and services rendered, and the Board of Trade was doing its best to accomplish this desirable object.

TURKEY—THE VICE-CONSUL AT CRETE.

QUESTION.

Mr. GRANT DUFF said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any steps have been taken with a view to increasing the salary of Her Majesty's Vice-Consul at Canea, in consequence of the high prices of provisions in the island of Crete?

Lord STANLEY said, in reply, that the salary of the Vice-Consul had been advanced £20 last year, and as at present advised, he did not see any necessity for further augmenting it.

THE NEW ADMINISTRATION.

MINISTERIAL STATEMENT.

Mr. DISRAELI: Sir, I have to ask the House to allow me to make a few remarks in consequence of the change which has taken place in my relations to the House since I last had the honour of addressing it. The retirement of Lord Derby from the chief conduct of affairs was unexpected. Personally, as well as politically, devoted to him as were his Colleagues, they were unreasonable in their expectations, and shrank from realizing the immense loss they must experience from being deprived of his guidance and his services. I have no language which can describe my sense of those services, but I will not attempt for an instant to dilate on the career or character of Lord Derby. I feel that it would be a great want of propriety, both in taste and sentiment, were I to do so. I hope and believe that Lord Derby will be restored to health, and not only to health, but to enduring health; and in that case he must always exercise in this country that influence over public affairs which is the consequence of his great position and greater character. Least of all should I think it necessary to touch on that character in this House. It is our pride and boast that he lived long among us, and that this is the arena in which were disciplined that political experience and those Parliamentary accomplishments for which he is so distinguished. I might add that I am here surrounded by many who have a personal recollection of that brilliant perception and that fiery eloquence which he certainly possesses more than most of the men I have been acquainted with. If I were—which I will not—to touch on any characteristic of Lord Derby, there is one which I should notice, because it is one of the principal causes of the great grief which his late Colleagues experience at this moment, and because it is a trait in his character little known to the world, I mean his great capacity for labour. He was always the most hardworking member of his Cabinet; nor do I think that any more lucid master of details ever existed.

On the retirement of Lord Derby Her Majesty was most graciously pleased to intrust to me the office of forming a Government. Under any circumstances, I should think no one, when such a trust has been proposed to him, would not feel that if accepted he must incur a great burden and encounter great difficulties; and though in my case there are personal and peculiar reasons which aggravate that burden and multiply those difficulties, yet I did not think that I could, with self-respect, refuse an offer of such a character. I trusted to the support of my Colleagues; I trusted to the sympathy of a generous party; and, perhaps I may be permitted to say, I trusted to receiving fair and impartial treatment from a House of Parliament in which I have now passed half of my existence. Under these circumstance I have presumed to undertake the office; and I am bound, in gratitude to all of those who are now my Colleagues, to express my sense of the generous manner in which they have granted me their assistance.

In circumstances of this nature, when a new Government is formed, it is not unreasonable that the House of Commons should expect some intimation of the principles on which the new Administration is established. But I apprehend that in the present instance that desire will be limited and modified; because it is known that in succeeding to the position of Lord Derby I have succeeded to the policy which he inaugurated when, somewhat less than two years ago, he acceded to power. For twenty years I enjoyed his unbroken and unreserved confidence. Twenty years were passed by us in confidential co-operation without a cloud—absolutely without a cloud—and I must, therefore, be cognizant of his opinions and his policy on all the great questions of the day.

With respect to the foreign policy of the present Administration, we shall follow that course which has been pursued under the guidance of my noble Friend near me (Lord Stanley), I believe I may say, with the approbation of Parliament, and, I think I may add, with the confidence of Europe. That policy is a policy of peace — not of peace at any price, not a peace sought for the mere interests of England, but a policy of peace—from the conviction that such a policy is for the general interests of the world. We do not believe that that policy is likely to be secured by a selfish isolation on the part of this country [Mr. J. STUART MILL: Hear, hear!] but, on the contrary, we believe it may be secured by sympathy with other countries, not merely in their prosperous fortunes, but even in their anxieties and troubles. If such a policy be continued, I have no doubt when the occasion may arise—and periodical occasions will arise when the influence of England is necessary to maintain the peace of the world—that influence will not be found to be inefficient, because it is founded on respect and regard.

With reference to our domestic policy, I say at once that the present Administration will pursue a liberal policy. [*Cries of* "Hear!"] I mean a truly liberal policy — a policy that will not shrink from any changes which are required by the wants of the age we live in, while, at the same time, we will never forget that it is our happy lot to dwell in an ancient and historic country, rich in traditionary influences that are the best security for order and liberty, and which form the most valuable element of our national character and our national strength. Speaking of our domestic policy, I must express the deep mortification which this Administration feels, and the late Administration felt, that in one of the most interesting and important portions of the United Kingdom we are obliged still to maintain the suspension of the most influential security for the personal liberty of the subject; but, Sir, upon the question of the suspension of the Habeas Corpus in Ireland, I will express the same opinion Lord Derby did when he was at the head of affairs. We look upon that measure not as directed against the Irish people, but as a means of protecting the Irish people from the machinations of an unprincipled foreign confederacy. And, Sir, though I do not for a moment pretend to conceal my deep regret at still continuing the suspension of that Act, I think that Parliament — that the country — that all sides—must find great consolation in this —namely, that in the enlightened age of tempered opinion in which we live, the suspension of the Habeas Corpus Act, the greatest security for the freedom of the subject, has yet been found consistent with a due, an impartial, and even a lenient administration of the law. I trust and believe that the agitations which have prevailed in Ireland are disappearing, and will soon altogether disappear. Then the House will proceed with increased zeal to undertake and carry such measures (as it has already done during this generation in many memorable instances) for the amelioration of the condition of that country; and I doubt not, if they proceed with circumspection — if they proceed with an anxious desire to concilate the enlightened and temperate opinion of all parties—they may be successful in greatly advancing the prosperity of that country and the happiness of its people. Sir, I will not dwell at this moment in detail upon this subject, because I know that the few observations I can venture to make on an occasion like the present may be misapprehended, and because I am aware that the interest which the House feels on such an occasion ought not to be frittered away. We have now immediately at hand an important debate on the whole condition of Ireland. I should have been happy to facilitate its introduction by giving the hon. Gentleman (Mr. Maguire), who has taken up the question, a day for bringing it forward; but that opportunity he already enjoys, and therefore my exertions can only be limited to facilitating the progress of the debate when it is brought on. Upon that occasion my noble Friend the Chief Secretary of the Lord Lieutenant will take an early occasion in the debate to state our general policy with regard to Ireland; and, if that policy be impugned, I and my Colleagues shall be prepared to vindicate it.

There is only one topic on which I think the House will permit me to touch before I sit down. It has been stated in my absence, and with great justice, that there has been unfortunate delay from concurrent circumstances in the progress of business during this Session. No doubt, the occurrence of an autumnal Session, and the unfortunate change that has taken place in the Government, have rendered such delay unavoidable. But I can only say that, so long as I continue to conduct its business, this House may rest assured that there shall be no lack of energy and no want of labour on the part of the Government in conducting the public business; while, at the same time, I may be permitted to add that it will be always most agreeable to me, so far as the position of that public business will permit, to facilitate the course of hon. Gentlemen opposite in bringing forward their Motions, and advancing those measures which they wish to bring under discussion in the House.

MR. BOUVERIE: I wish to make a few observations on the statement of the right hon. Gentleman. I shall, to put myself in order, conclude with a Motion. The right hon. Gentleman has stated that, in conformity with the usual practice, he thought it his duty to explain to the House the policy he intended to pursue, and he went on to say that his policy would be that of the late Prime Minister, Lord Derby. Now, what I desire is that the right hon. Gentleman should have explained more fully what that policy was. Is the right hon. Gentleman's policy to be that which was announced two years ago, or is it to be that of last year? Is the course of education of the party opposite to be continued, or is it concluded? I think the House is entitled to ask the right hon. Gentleman for some more frank exposition of policy on such an occasion. Speaking personally, I must say for myself there was no need for the right hon. Gentleman to deprecate the judgment of the House on assuming the high position he now fills. That appeared to me to be simply his due. No one could have sat as I have done for near twenty-five years in this House in company with the right hon. Gentleman, watching his career, and seeing him gradually ascending in power and influence, without being convinced that he has fairly earned the position he has won. But, at the same time, I cannot help observing that the Government of the right hon. Gentleman appears to be affected by the same fatal malady which afflicted that of Lord Derby — it is too weak in Parliamentary power, and the new Premier, not having a majority at his command, will be unable to carry on the business of the country in a satisfactory manner. Lord Derby, on assuming the reins of power in 1866, admitted that this was the fact, for he stated in the House of Lords that he had, when forming an Administration, sought the assistance of Lord Clarendon, the Duke of Somerset, the deceased Marquess of Lansdowne, and the noble Lord the Member for the City of Chester (Earl Grosvenor), but that he had been baffled in his hopes of assistance in these quarters. Lord Derby's conduct in that instance was an admission that he knew that his power in Parliament was not sufficient properly to carry on the business of the country. In addition to that, the noble Earl stated last year in the House of Lords that he was determined, if possible, not to submit to the infliction he had had to endure on two previous occasions—that of attempting to carry on the business of the Government with a minority of the House of Commons, and that he would at no price any longer continue to act as a mere stop-gap for the Liberal party, but would endeavour to turn his minority into a majority. That was his policy; how did he endeavour to carry it out? We know that last year, instead of strengthening his party, he created an irremediable schism, and if his Government was weak when he formed it, it became weaker still by the secession of three of its ablest and most respected Members. Moreover, at the period I am referring to, a large section of the party on the other side of the House also seceded, and no longer gave the unlimited confidence to Lord Derby which they had formerly given; but, on the contrary, looked askance upon him and the right hon. Gentleman who has just spoken. I have often thought it would be a great advantage to Ministers if they could have their own followers facing them, instead of sitting behind them, and they would learn from the countenances of that party how much surprise, dismay, and disgust, was felt at many of the propositions which they made. If, then, the Government of last year was weakened by the secession of the three Gentlemen I have alluded to, how much more must it be weakened now, as the right hon. Gentleman himself will admit, by the loss of Lord Derby himself—a nobleman whose great social position, enormous wealth, distinguished Parliamentary career, great abilities, and high character, made him the keystone of the arch of his party? Is it to be supposed that when this keystone is removed that the arch is to remain as strong as ever, whatever may be the abilities of the right hon. Gentleman, or in however able a manner he may conduct the Government of the country? I am not saying this with the view of blaming the right hon. Gentleman for the course he has adopted. On the contrary, I think that if blame is to be attached to anybody it rests, not with the right hon. Gentleman, but with us who sit on this side of the House. Why is it that the hon. Gentlemen opposite are now in possession of the Government? Simply because the Liberal party, which has undoubtedly a large majority here, and which represents a vast preponderance of the opinion of the people of this country, does not deserve to be called a party. This may be an unpalatable truth; but it is the truth notwithstanding. We have leaders who do not lead, and followers who do not follow. Instead of being an organized party, we are little better than a rabble. In fact, we have none of the advantages of a party in this House, except that of numbers, which the right hon. Gentleman opposite lacks, and yet we have the privilege of having one sitting in front of us as our chief who is one of the most distinguished and eminent men that ever adorned Parliament. I say that this is a great public calamity. It is most detrimental and injurious to the public interests that the Government of the country should be carried on by those who are in an actual minority in the House of Commons. It must lead to a wavering, inconsistent, uncertain policy, and I think the experiences of the past two years ought to satisfy the House that such a condition of things is most unsatisfactory. Recollect what took place in reference to the proceedings in Hyde Park two years ago. The right hon. Gentleman whom I see opposite (Mr. Walpole) was made a scapegoat on that occasion; but, in point of fact, I think if we knew all the secrets of the late Government, we should find that he was but the organ of the Government to bring about a state of things which led us to the edge of anarchy and confusion, and made the Government of the country subject to the dictation of a mob. What happened last year with reference to the government of Ireland? It was understood that the Irish Government were strongly of opinion that those unhappy men who had been taken in array against the Sovereign of this country in Ireland ought to have had their lives forfeited for the crime they had committed; but such was the vacillation and hesitation of the Government, that when pressure came to be put upon them ["Oh, oh!"], they were unable to resist that pressure, or to maintain the opinion urged upon them by the Irish Government. These are examples—and forcible examples—of the disadvantage to the country at large, and to the interests of the public, of this unconstitutional state of things. And can the House suppose that this is the last instance that will occur in which this disadvantage will be apparent? Will there be nothing in the future—is there nothing coming—which will produce the same results, in which we shall see a Government not willing to take the responsibility of facing a hostile majority in the House of Commons, and afraid—and naturally afraid, knowing the feeble support they are likely to receive from their own followers—of urging with the whole strength of the Government their policy upon the House? We must have in the course of this year great financial questions brought before us. Now if there is one thing more than another in which it is important that the Government should be backed by a powerful and confiding majority it is in great questions of finance. When financial difficulties arise, when we are not sailing in smooth waters, when great demands have to be met, and when it is necessary to increase the burdens of the people, it is then that a Minister feels the necessity of having a large and confiding majority at his back, who will be ready to accept his decision as to what is for the interest of the country, and to support in this House the policy he desires to carry into effect. And can it be expected that when these questions come forward the right hon. Gentleman and his Colleagues—and I give them credit for the utmost ability and skill—will be able to act with that ease and freedom which they ought, for the interest of the country, to possess, when they know that there will be this large majority facing them who would not be disposed to view their proposals with a friendly aspect, but would be ready to criticize rather than assist in carrying their financial measures? The existence of this state of things is not for the interest of the public; and it appears to me, moreover, that the right hon. Gentleman has lost a great opportunity for advancing those interests. As far as one can look to party questions and party divisions, it seems as if the old battle-fields of party were being swept away—as if the old standards of party were going no longer to be raised—and as if we must contemplate some amalgamation or union of those who most sympathize in their general views of present policy, apart from those great questions upon which our leading Statesmen have been separated from each other. Lord Derby himself seemed to have adopted in 1866 this reasonable and rational view, entertained not merely by many Members on both sides of the House, but by numbers of persons amongst the public at large, who are not violent or ardent politicians, but who wonder when they hear the cries raised at elections of "Disraeli" on the one side, and "Gladstone" on the other. Are there no questions of great public policy on which we could unite for the benefit of the community, and especially for that of the sister country? Is the Irish Church again to be the battle-field upon which the opposite sides of the House are to carry on their party contentions, and the question on which Ministers are to be turned out and new Ministries formed? The right hon. Gentleman opposite must be sufficiently acquainted with the spirit of the times to know that he cannot make that question the battle-field on which to stake the existence of his Ministry. As to the Irish land question, are we not all practically agreed, except, perhaps, my hon. Friend the Member for Westminster (Mr. Stuart Mill), who, by way of wiping out the results and effects of three great land confiscations in that country, proposes a fourth? Practically, are we not substantially agreed on both sides of this House, that some interest must be given to the tenant in that country for the unexhausted improvements which he has effected upon the land? Are there any other questions which are likely to divide parties in this House for some time to come? and if there are not, I think the public interests have suffered by the right hon. Gentleman having neglected to attempt at least some method by which he might bring to bear, for the advantage of the public, the talent which is to be found amongst Gentlemen opposite to him, as well as amongst those behind him, for the purpose of carrying, by a strong and united Government, those measures which he must be convinced are for the benefit of the country. I beg to move the adjournment of the House.

Motion made, and Question proposed, "That the House do now adjourn."—(*Mr. Bouverie.*)

Sir GEORGE BOWYER: I second the Motion of the right hon. Gentleman. I should be sorry to prolong this discussion; but, at the same time, I cannot help rising to deprecate the course which has just been taken by the right hon. Gentleman. It appears to me that if there be any one occasion on which it behoves us to act with great moderation, and even forbearance, it is that on which a new Prime Minister makes his first appearance in this House, not having had an opportunity of consulting fully with his Colleagues, and certainly having had no opportunity of stating to this House what the measures are which he is prepared to carry forward, and on which he must base whatever confidence he can hope to obtain from the House. Yet the right hon. Gentleman has just addressed to us a regular party speech, attacking the Government for a policy of which he knows little or nothing, as he admits, and measures which he supposes they are going to bring forward, or which they ought to or may bring forward. The right hon. Gentleman complains that the present Government are going to attempt to conduct the affairs of the country without possessing the requisite majority in this House. But I want to know why the Government of Lord Russell was expelled from power? Because they had not a majority. But the right hon. Gentleman himself says that, from the way in which his party acts, it does not deserve to be called a party—that it has leaders who do not lead, and followers who do not follow—and he certainly used language in reference to them which I should rather have expected to have heard from the other side of the House. Admitting the total disorganization of the Liberal party, and that they do not deserve to be called a party, he complains of the right hon. Gentleman who occupies the Treasury Bench for undertaking the Government of the country without a majority. The fact is, we have no party in this House now who, banded together by party ties, will go with their Leaders under any circumstances; and no Government can now obtain a majority in this House, or can maintain a majority, unless they adopt a policy which secures to them the confidence of the House, and unless they bring before it measures which are satisfactory to the House as well as beneficial to the country. Under these circumstances, the party undertaking the Government of the country must not look for support to a Parliamentary majority, but to the measures they introduce: and if those measure are satisfactory, the Ministry will obtain support from both sides of the House. There is one portion of the speech of the First Lord of the Treasury—that which relates to Ireland—which, I think, requires some explanation. I understood him to say that political agitation is rapidly ceasing in Ireland, and would soon disappear, and that when tranquillity was restored the time would have arrived for introducing measures for the advantage of the country. If that be the meaning of the right hon. Gentleman I think he is mistaken. The pacification of Ireland, I believe, and the cessation of all kinds of agitation and disorder in that country, must not be sought for by the suspension of the Habeas Corpus Act alone, or from any penal measures whatever; but that result, so much to be desired, not only for the benefit of Ireland, but the whole of the Empire, must arise from remedial measures—from some re-payment of the great debt which this country owes to Ireland, and in that way alone can Ireland be made happy, peaceful, and contented. I trust the right hon. Gentleman will lose no time in considering the question of the Irish Church. I will not anticipate the debate which is to take place upon the subject by going into details now. I trust also that the right hon. Gentleman will be prepared to bring forward measures upon the Irish land question, not founded upon the principles advocated by the hon. Member for Westminster (Mr. Stuart Mill); but which will respect the rights of property while giving that relief which the Irish people require. If the right hon. Gentleman takes a wise and liberal view of the Irish question, and brings forward measures satisfactory to this House and to this country, he will be in no danger for want of a majority to carry on the business of the country. I am convinced that if the Government adopt a wise and liberal course they will find supporters in every part of the House, regardless of party.

Motion, by leave, *withdrawn.*

CAPITAL PUNISHMENT WITHIN PRISONS BILL—[Bill 36.]

(*Mr. Secretary Gathorne Hardy, Mr. Walpole, Mr. Attorney General.*)

SECOND READING.

Order for Second Reading read.

Mr. GATHORNE HARDY: Sir, in rising to move the second reading of this Bill, I wish, as one of the Commissioners upon whose Report the measure is founded, to state the reasons for their recommendation that capital punishment shall in future take place within the walls of the prisons, instead of publicly, as at present. A similar Bill to this was introduced last Session by the present Government, and a measure having the same object was proposed by the late Government, and the right hon. Member for Morpeth (Sir George Grey) who was also a Witness before the Commission, supported its principle. With regard to the question of capital punishment itself, I am not about to make any observations. Capital punishment is the law, and there is no proposition to repeal it; and presuming that the punishment of death is to be continued, my object is to show the House that it can be carried out with greater effect, as regards the public, within the prison walls, and that the change would be beneficial to the criminals themselves. There was a great preponderance of opinion before the Commission against the present state of the law; the witnesses examined were, with very few exceptions, in favour of a system of executions within the prison walls, and it seemed to the Commissioners that public executions should be put an end to, and that the sentence of death should be carried out within the precincts of the prison under certain regulations. The Bill, of which I am about to move the second reading, is identical with the one which was laid upon the table last year, and is not merely for altering the place of punishment, but also for regulating the mode of conducting executions. It provides that by the order of the sheriff a certain number of persons in public capacities and the relatives of the convict shall be admitted to witness the execution, and also that there shall afterwards be a coroner's inquest, and a full publication of the proceedings before the coroner. I assume that no one would wish that so ghastly a spectacle as a public execution should take place except as a deterrent, and if it can be shown by experience that the deterrent influence is greater when the sentence is carried out privately, every one will wish to remove from public view a spectacle of so objectionable and horrible a character. I therefore propose to place before you the opinions, gained from considerable experience, of certain persons of high authority upon this subject. In other countries the experiment of hanging within the prison walls has been tried for a considerable period, and with success. In the United States the practice has been carried out with satisfactory results in the majority of the States. Mr. Dana, of Massachusetts, says—

> "We should look with horror on a public execution, unless in some sparse rural district, out of reach of crowds."

The Attorney General of the same State records his opinion as follows:—

> "Public executions were abandoned many years ago, and I believe the change has been universally regarded as beneficial."

Of those who have had opportunities of judging of the question from experience in our own colonies, I may refer to Sir Dominic Daly, who says with respect to South Australia—

> "I feel quite satisfied, and it is the opinion of those who have the best means of knowing the moral effect of such punishment, that the penalty of death is not less deterrent in consequence of its being inflicted in a comparatively private manner."

Sir John Young writes to the same effect from Sydney, and in Queensland the same practice is adopted and approved; and from Tasmania Governor Brown writes—

> "I believe that inasmuch as a private execution removes the opportunity for display, it withdraws a stimulant which operates on the criminal population in a manner not much unlike that in which laudable ambition acts on a soldier."

In Governor Brown's opinion, it seems, public executions are not only not deterrent, but stimulate the criminal classes to invest those who suffer the extreme penalty of the law with something of the heroic. By ordering executions to be conducted in private, we should prevent the criminal from aspiring to what he and many of his fellows may, unfortunately, regard as a glorious end. The Chief Commissioner of Police in Victoria, Van Diemen's Land, says—

> "I am informed by those who have good opportunities of knowing, that the criminal class have a greater dread of death on a private than on a public scaffold."

This I fully believe. But the evidence on the subject which most struck me was that given by Colonel Henderson, who was, it is well known, Superintendent of Convict arrangements in Western Australia, and who is now Chairman of the Directors of Convict Prisons in this country. He spoke in the very strongest manner upon this subject, because both private and public executions had been tried in Western Australia with different effects. He says—

> "Executions in private are far preferable to those in public. The fact of the man disappearing from the Court of Justice, and of the people knowing that he never would be seen again, would be far more deterring. I believe that a public execution destroys the whole value of an execution."

He adds that the coroner's inquest is quite sufficient to satisfy the public that the execution has taken place; and, for my part, I cannot see why executions should be the only punishment administered in public. By the present rule guiding the administering of capital punishment, all our convicts should be exhibited in cages, and as much might be urged in favour of public floggings as in favour of public executions. Colonel Henderson says that flogging criminals in public had not half the effect of flogging them in private. Evidence based upon experience is therefore strongly in favour of the change we propose. Then we have to consider the quality and behaviour of the crowd who flock to witness public executions. Do we not hear, over and over again, that they represent the very worst classes, and that many of them are themselves on the very road to the gallows? It is notorious that they go only to make a jest of what is to every worthy person a subject of the gravest regret. They do not go alone. If they pondered over the scene alone, it might have some effect upon them; but they flock there in companies, and keep one another's courage up by singing low songs and laughing at low jests. Thus an execution has become nothing but a species of amusement, and is in nowise deterrent to the classes whom it is most desirable it should affect. It is the same as in past times, when, as a criminal passed along the streets on his way to Tyburn, all sorts of presents were made to him, and the bravado of the culprit tempted others to follow in his footsteps. But how impressive and how deterrent would be the scene when the criminal was removed from the Court on sentence of death being pronounced. His acquaintances would look on him and know that they saw him for the last time as he was led from the dock, and taken wholly out of their sight to be dealt with by the law. The deterrent effect would be the same as I have observed in the case of a sentence of transportation for life. A deep sob has run through the Court as the convict was led away; and the people feel that, although he has been removed from their sight, he will be subjected to a punishment which will be extremely painful, and the mystery and indefiniteness attending the punishment serves only to increase its terrors in their eyes. I may add that efforts have already been made in various parts of the country to make executions as private as possible. In some instances a screen has been erected before the scaffold, so that, as soon as the drop has fallen, everything of interest to the crowd is out of sight. This shows how general the feeling has become that such spectacles are prejudicial in their effect on the public mind. Again, if it were desirable to secure publicity, full notice of an execution would be given; but the custom at present is to leave the time in uncertainty, and place it at a very early hour, so that the crowd may be small. And let me add a word respecting the criminal himself. Can anyone imagine that it is beneficial to him that, in his last moments, he should be brought out to be inspected by these mobs, to be received, as has been the case in one instance in London, with great applause, or with hooting and execrations, which must distract his mind from the religious and devotional duties in which everyone would wish that he should be at such a moment engaged? Both as regards the public and the criminal, the change will be a beneficial one, and upon the authority of such persons as Lord Cranworth, Lord Wensleydale, and Sir George Grey, I venture to recommend its adoption to the House, and therefore beg to move the second reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gathorne Hardy.*)

Mr. Serjeant GASELEE said, he rose with very great diffidence—to move that the Bill be read a second time that day six months. He wished his right hon. Friend had withdrawn this as he did its sister measure, the Law of Capital Punishment Amendment Bill. A private execution would have satisfied nobody in the case of the recent Manchester executions. The friends of the culprits in Ireland would have said that they were tortured in prison, and that the Government was afraid to execute them in public. When he found that out of the twelve Commissioners appointed only seven were in favour of private executions and five against them, and that these five were Dr. Lushington, Mr. Ewart, Mr. Neate, Mr. Moncreiff, and Mr. John Bright, he was very doubtful if the adoption of private executions would be an advantage to the country. The right hon. Gentleman had added nothing to his old arguments. He had simply drawn the precedents beyond their legitimate bearing. He had stated the effect of the abolition of public executions in other distant countries; but he had omitted to state in what countries, as in France, they were still retained. The right hon. Gentleman also confined his Bill to cases of murder, and did not extend it to treason, nor did he apply it to Scotland. In this age of assassination and revolvers, it was not desirable that the Government should set the example of private assassination. Such, however, was the character of the Bill, and, if passed, it would, in his opinion, give an impetus to the system of assassination by the revolver and stiletto, which had unfortunately become so prevalent in the country. He did not see why they should consider the criminal. He did not believe that capital punishment was in the majority of cases deterrent at all; but it would be more satisfactory to the public to have criminals executed in its presence. A distinguished Judge, Mr. Baron Martin, had given evidence before the Commission in favour of public executions. Such disgusting scenes as those which took place at Muller's execution were unknown except in London, and, although persons went to such spectacles for the purpose of robbery, might not many a young man go home and reflect on what he had seen, and be thus deterred from the commission of murder? Mr. Davis, the Ordinary of Newgate was inclined to regard public executions as more efficacious than private ones would be, but wished to give the latter a trial. It was evident, however, that after once adopting them it would be impossible to revert to the present method, and he (Mr. Serjeant Gaselee) contended that the wisest policy was to make no change. One of the witnesses before the Commissioners described Calcraft's manner as very rough, remarking that he hung people as if he were hanging dogs. Now, if executions were private, his treatment might be still rougher, and criminals might be absolutely tortured. Many, moreover, would never believe that persons had been executed at all. Some persons still contended that Sadleir was living, and that Fauntleroy was not executed; and the opinion was prevalent in some quarters that if a rich man were condemned to death, he would be able to procure a substitute as in China. He viewed this as a poor man's question, for the poor man had a right to be hanged in public. If innocent, he had a right to appear before the people and declare his innocence, or, if guilty, to acknowledge his crime, and warn others by his example. On these grounds he begged to move that the Bill be read a second time this day six months.

Sir GEORGE BOWYER said, he must admit that there were great authorities in favour of the Bill. His right rev. Friend (Dr. Ullathorne), the Roman Catholic Bishop of Birmingham, had attended more than twenty criminals in their last moments, and was therefore well qualified to give an opinion. He (Sir George Bowyer) accordingly wrote to him last year, when the Bill on this subject had been announced, and his right rev. Friend replied that he thought it better that executions should be private. After examining the question, however, on all sides, he (Sir George Bowyer) had come to the conclusion that it was best to leave things as they were. He had thought it a duty, though a painful one, to attend two executions, and he did not see them from a window, but he mixed with the crowd during the night to observe everything that occurred; while, on several others, he had visited Newgate and Horsemonger Lane late on the night preceding an execution, and this had led him to believe that the horrible accounts which appeared in the newspapers of what took place before executions were greatly exaggerated. No doubt, executions brought together many "roughs" and members of what were called the "dangerous classes," and in so motley an assemblage good manners, or even good morals, could not be expected to prevail universally; but, when mixing with the crowd, he had heard many excellent remarks, showing that the object of the spectacle was clearly understood. He had heard it said, "Well, the man has been fairly tried, the laws of the country are just, and it is quite right he should be executed as an example to others." At Horsemonger Lane, when mingling, the night prior to the execution of the Mannings, with the crowd, he came to a group of men evidently belonging to the criminal population, and he heard one of them use this remarkable expression, "Well, I knows many a man as would think no more of taking a man's life than of eating his breakfast, if it wasn't for this," meaning the execution; and the remark met with general assent. The theory of the right hon. Gentleman the Home Secretary with reference to the deterrent effect which would be produced by a man's disappearance into some sort of mysterious darkness was just a little too poetical to be understood by the class who were sought to be deterred from crime. If any scandals attended public executions, their deterrent effect ought fairly to be set off against them. No person who had not witnessed an execution could form any idea of the impression produced on the crowd of spectators when they saw before them the dreadful spectacle of a man in his full vigour about to be put to death. On the prisoner appearing on the scaffold there was a moment of awful silence—then the cry of "Hats off!" amid an indescribable mixture of sounds of which no one can have an idea who has not heard them, and which clearly indicate the horror and terror felt by the multitude. On such occasions prayers were offered up, and religious reflections suggested by persons whose theological principles did not perhaps agree with those which he himself held, but whose influence had a beneficial effect on those who heard them praying. If executions were conducted in private, there would be no such solemn awe in connection with the infliction of capital punishment. He believed that scandalous or indecorous conduct was the exception and not the rule on such occasions. Another great objection to private executions arose from the feeling among the lower classes, that criminals who had occupied an influential position in life, and especially criminals who had money, were not put to death. He had heard it said that any man with £1,000 might escape from capital punishment, even after sentence had been pronounced. Soon after he was called to the Bar he had seen instructions for counsel to draw a Bill in Chancery based on the supposed fact that Fauntleroy was still living. Again, after sentence had been pronounced on Tawell, there was a popular belief that his wealth and position would save him; and after the execution had taken place people believed that he was still living, and that a stuffed figure had been hanged in his stead. If such impressions existed, despite the fact that executions were public, what would be the case if capital punishment were inflicted in private? The fact that executions were private in some parts of America was no argument for introducing the practice into a country where the circumstances were entirely different from those of a pure democracy. For these reasons, and believing as he did that so serious a change as that proposed by the Bill ought not to adopted without more consideration than the subject had hitherto received, he begged to second the Amendment of the hon. and learned Member for Portsmouth.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Serjeant Gaselee.*)

MR. KNATCHBULL-HUGESSEN said, that if he thought the "poor man" was about to be deprived of a right or privilege, he should hesitate as to his vote in support of the Bill, but this was not a question as to any legal distinction being drawn between the rich and the poor, but as to whether a great public scandal could be abolished or very much diminished without doing away with capital punishment, which Parliament still thought it necessary to retain. If the hon. and learned Member for Portsmouth (Serjeant Gaselee) had read the Bill he could not have done so with his usual care, because he had spoken of the danger which might arise from the hangman being able to treat roughly and torture the criminal whom he had to execute in private. But the Bill provided that every execution should be witnessed by the sheriff, the governor of the gaol, the surgeon, the chaplain, and certain justices, if they pleased; and that there should be a coroner's inquest on every criminal who had been executed, so that there might be no doubt as to his identity. There was, therefore, no such danger as that apprehended by the hon. and learned Gentleman, unless a collusion, which was scarcely credible, should exist between all these officials. The hon. and learned Member for Dundalk (Sir George Bowyer) had quoted a number of opinions of persons on the Capital Punishment Commissions against private executions; but it must be borne in mind that almost all of them were the opinions of gentlemen who were opposed to capital punishment altogether, against which their votes were given, and not in favour of public as against so-called "private" executions. The hon. Baronet, having been present at an execution, certainly had the advantage of him in point of experience; but he ventured to think that some of the deductions drawn by the hon. and learned Gentleman from what he had heard on those occasions were not exactly correct. For instance, that which was probably meant by the observation that "but for such things very many more innocent lives would be taken by the murderers," was not that murderers were deterred by public executions, but by the fear of the punishment of death at all. It appeared to him that the weight of evidence was in favour of the Bill introduced by his right hon. Friend the Home Secretary. Making even the fullest allowance for exaggeration, any person who read the newspapers could not doubt that the scenes which really did take place at public executions were a disgrace not only to civilization but to our common humanity. A proposal had been made to abolish capital punishment altogether. Upon that he would not pronounce an opinion further than to say he did not think public feeling would justify them in taking that step at the present moment. He thought the deterrent effects of capital punishment were wholesome, and should not be dealt with lightly. He felt that the House would do wisely to allow the Bill to pass into law, and he should therefore support the Motion for the second reading.

Mr. GILPIN said, he must demur to the argument of the hon. Gentleman who had just addressed the House, that those who had a strong objection to capital punishment, and regarded it as a relic of barbarism which must before long disappear, were upon that account shut out from discussing the question whether executions ought to take place in public or in private as long as capital punishment was continued. He confessed that he would rather have met the proposition of his right hon. Friend the Home Secretary with an Amendment declaring that it was expedient to abolish the punishment of death.

Fifteen or sixteen years ago upwards of 100 Members of that House voted for the immediate abolition of capital punishment, and he could not therefore but think that he should have taken more Members into the Lobby in support of such an Amendment than his hon. and learned Friend the Member for Portsmouth (Mr. Serjeant Gaselee) would take for that which he had made. He did not mean to attribute any blame to his right hon. Friend the Home Secretary when he confessed that this Bill had come by surprise on him and other independent Members. He (Mr. Gilpin) thought it was much to be deplored that at this time of day—in the year 1868—the House should be engaged in a discussion as to whether hanging men publicly or privately were best in a civilized country. The hon. Gentleman who had just sat down said the opinion of the country would not justify the House in abolishing capital punishment. He could not agree with the hon. Gentleman, and on this subject he ventured to put his experience in opposition to that of his hon. Friend, for he might say that there were few counties of England in which he had not attended public meetings called to promote the abolition of the punishment of death, and he knew that the feeling of the people in regard to it was not that which had been described. In regard to the argument that, if executions took place inside prisons they would have a greater deterrent effect than at present, he thought that was a subject on which it was impossible to form any just opinion, because, while some criminals showed great bravado when they came upon the scaffold) others, especially women, regarded the publicity as the worst part of the punishment. This subject had been much discussed out of doors, though it was comparatively new to the House. He held in his hand a letter addressed to him by the late Mr. Cobden, who, after expressing his regret at being unable to attend a meeting convened to consider the question of capital punishment, went on to say—

> "I am sorry that I cannot attend the anti-capital-punishment meeting; but I congratulate you upon the great progress you have made during the last week. Your opponents are half-ashamed of their cause; but they seem not to be aware that, when they denounce the evils of public executions, they are abandoning the chief argument with which they have defended the halter. If they really thought that the gallows was a good and useful public instructor, they ought to be satisfied with the countless multitude of pupils

who flocked to the spectacle of Tuesday last. In now calling out for secret hanging (which sounds to my ears very much like private assassination) they have delivered themselves into your hands, and I hope you will deal mercifully with them in your argument on Monday. Be assured that, if hanging be acknowledged to be so unclean a thing that it is no longer to be tolerated in the broad sunlight, the English people will have none of it."

Again, Lord Hobart, in his *Essay on Capital Punishment*, said—

> "It is not likely that in England executions will ever take place otherwise than in public. It seems more probable indeed, as far as this country is concerned, that capital punishment will be discontinued altogether than that it will ever be inflicted except in the full face of day. There is that in our national character to which secret executions are peculiarly abhorrent, and as it does not appear that there is any such preponderance of sound principle in their favour, as might be expected gradually to overcome a popular prejudice, it cannot reasonably be anticipated that they will ever find a place in our penal system."

For his own part, he (Mr. Gilpin) confessed he had never been able to witness a public execution. He had in the grey dawn of the morning witnessed the crowd and the erection of the scaffold, but he turned away with a sick feeling before the criminal was brought out. On scores of occasions, however, he had met the crowds coming away from the scaffold, and certainly none of the descriptions in the newspapers had exaggerated the horrible accompaniments of such scenes. He was convinced that if executions were to take place inside the prisons three-fourths of the arguments in favour of capital punishment would fall to the ground. Perhaps, therefore, he ought to hail this measure as one which went three-fourths of the way to the abolition of the gallows; but, on the whole, he thought it better that the country should decide on the main question of the abolition of capital punishment rather than on the minor one as to the expediency of conducting executions in comparative secrecy.

MR. NEWDEGATE wished to state shortly the reasons that compelled him to vote against the second reading of the Bill. He had no sympathy with those who thought it possible to abolish capital punishment; and who, he supposed would be in favour of having executions in private, because one of their staple arguments against capital punishment was that a public execution demoralized those who witnessed it. He had read all the accounts of the disgusting levity which was exhibited by the crowd on such occasions; but he must say that while he agreed in the main with the opinions expressed by Mr. Cobden, in the letter which had just been read, he (Mr. Newdegate) went further. He remembered that Gentleman saying, in reference to the affected and unnatural hilarity of the crowd after an execution, that it reminded him of boys whistling as they passed through a churchyard. He was convinced that much of the disgusting levity exhibited was no proof of indifference, but was rather an effort of unregulated minds to efface from their recollection the solemn and impressive scene they had beheld. He believed that the Bill was one step in a vicious course of legislation. He pointed out last Session that the remission by the Home Secretary of sentences pronounced in Court by Judges had shaken the confidence of the public in the execution of the law, and he presented a petition from Birmingham signed by 3,000 persons complaining that the certainty of punishment, the chief element in its deterrent effect, had been lost by the uncertainty which had been introduced as to the operation of the law in reference to the period of imprisonment which would really be inflicted for crime. He looked upon the present proposal from the same point of view. He believed that public executions had a most wholesome and deterrent effect. It had been the wise practice of this country for centuries to make the people feel that the law was the expression of their own judgment and will; and he knew nothing that would tend more to shake that impression than withdrawing the execution of the law in capital cases from public supervision. By doing this they would take another step towards making all uninformed persons believe that punishment was not the necessary effect of the law, but that it was an act of the executive itself. When once that feeling was established there would grow up this feeling that the punishment was an act of vengeance inflicted by those who were invested with discretionary power upon the victims of their malice. In other countries there had been examples of the evils of having executions not in public. One of the main causes that tended to shake the throne of Louis Philippe was the scandal as to the death of the Duc de Praslin in prison. That nobleman, had been condemned, and justly, to be executed, and his death by suicide in prison, and the reports propagated and believed in reference to it, had raised doubts as to the pure administration of justice in France. Under these circumstances he should vote against the second reading.

Mr. HIBBERT said, that inasmuch as the Bill provided that executions should be held in a semi-public manner, in the presence of all the prison officers and the relatives of the person executed, and made it necessary that an inquest on the body should be held before twelve jurymen within twelve hours of the execution, it was not open to many of the objections which had been urged against it. The precautions provided by the Bill were such as to prevent any suspicion being entertained that the law had not been duly carried out. After looking into the working of the principle embodied in the Bill, so far as it had been carried into operation in other countries, in America, in Prussia, and our Australian colonies, he found that it generated no suspicion whatever. He hailed the present Bill as a measure thoroughly in consonance with the humane legislation of the past thirty years, and he trusted the House would view it in that light. He believed there had not been a single petition presented against the Bill, and he had himself brought twice forward a similar measure three and four years back, in favour of which numerous petitions had been laid before the House. He asked Mr. Adams, the American Minister, for his opinion on the subject, and he, in reply, wrote that in Massachusetts the system of hanging within the limits of a prison, in the presence of the officials and a few persons admitted by the sheriff, worked so well that nobody would think of returning to the old system. In Pennsylvania the system had been in operation for a quarter of a century; in New Jersey and Maryland executions were conducted in the same manner; and there was every probability of the system becoming universal and permanent. He had found similar testimony as to the working of the system in our Australian colonies. Sir Alfred Stephen, in answer to a question put to him by the Commissioners, stated that in New South Wales private executions were quite as deterrent in their effects, while the criminals suffered without exhibiting that bravado which they so frequently displayed when executed in the presence of large crowds of spectators. He could assure the hon. Member for Portsmouth (Mr. Serjeant Gaselee)—though it was not necessary that he should trouble the House with the particulars—that such scenes as those referred to were by no means confined to London, but occurred, for instance, at executions in Liverpool and Manchester. He might remark, too, that at the execution of the Irishmen for the murder of Serjeant Brett it was generally regretted in Manchester that the mode of conducting our executions had not been altered, and he had heard from several quarters expressions of regret that such a measure as the one before the House had not been passed in the last Session of Parliament. If this alteration had taken place there would have been no necessity for moving large bodies of troops and swearing in great numbers of special constables. In the execution of criminals they had a twofold object in view. In one light such executions might be regarded as examples, and in the other—while the present publicity was retained—as spectacles. Now, he felt convinced that the example would not be lost by the executions being held within the prison walls, while, by adopting such a course, the spectacle might be got rid of. At present that spectacle was seen but by a very few; and while we were doing so much to refine and elevate the poorer classes of our fellow-countrymen, it was scarcely consistent in the House to allow these barbarous exhibitions to be continued. He trusted that the House would read the Bill a second time.

Mr. M'LAREN thought the Bill would be much more complete if Scotland were included. The question was one which had excited great interest in that part of the kingdom. He had a copy of a petition agreed to by the Town Council of Edinburgh in favour of this measure so early as the year 1854; and others were adopted in 1865 and 1866, all of them unanimously. The petition of 1854 declared that, considering executions as a spectacle, the good effects produced by them were extremely rare, if any at all; and they hardened and brutalized the great mass of those who were present at them; it, therefore, prayed that executions might take place within the walls of the prison, before a limited number of persons, including several public functionaries. He (Mr. M'Laren) had had the painful duty imposed upon him of being present at two public executions, for in Scotland these were conducted under the charge, not of the sheriffs, but the magistrates of cities and boroughs. He had derived from his observations the strongest possible conviction, not only that they did no good whatever, but that they hardened and brutalized many of those who witnessed them, while they were at the same time painful to the feelings of all the better disposed classes of the community, who certainly were entitled to some consideration at the hands of the House. He could not understand how anyone who had read the clauses of the Bill could assert that the executions under it would be private. It might just as well be said that criminal trials were private, unless 10,000 persons were present, and that therefore all such trials should be held on Salisbury Plain. Every precaution was taken by the Bill to have proper witnesses, and to leave no possibility of a doubt that the criminal had been executed. The measure was a great step in advance of the present state of things, and, as one of those persons who disapproved altogether of the punishment of death, he was glad to give it his cordial support, as it would probably lead to the accomplishment of that more important object. He hoped the right hon. Gentleman opposite would consent to the insertion of a clause by which its provisions should be extended to Scotland.

THE LORD ADVOCATE said, that steps would be taken when the Bill was in Committee to make its provisions applicable to Scotland.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 181; Noes 25: Majority 156.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday,* 19th March.

ELECTION PETITIONS AND CORRUPT PRACTICES AT ELECTIONS BILL.

(*Mr. Chancellor of the Exchequer, Mr. Secretary Gathorne Hardy, Sir Stafford Northcote.*)

[BILL 27.] SECOND READING.

Order for Second Reading read.

MR. DISRAELI: Sir, I am about to ask the House to read this Bill a second time. When I introduced the measure great objections were taken to the tribunal proposed for the investigation of Election Petitions. I must candidly admit that I think those objections were sound, and if I had not had the honour of sitting on this Bench I should probably have urged them on my own part. The House, however, will understand the position in which, when I introduced the measure, I was rather suddenly placed. I had to consider whether I should give up all chance of legislating this year, or whether I should take a course which I did not care to pursue. I thought, however, that by introducing the Bill, and by putting the House in possession of the subject, we might have a chance in a short time of making some suggestions which would meet the difficulties of the case. I am now in a position to make a proposition with regard to the formation of a tribunal—in my opinion a competent tribunal—which will obviate all the objections urged against our first measure by great authorities. What I propose is to read the Bill a second time, that it may be committed to some future day *pro formâ,* when I will introduce those clauses which, in my opinion, will carry into effect the proposition which I am now going to make. I propose that Her Majesty shall have the power of nominating two Judges of the Superior Courts—either of the Queen's Bench, the Common Pleas, or the Exchequer; and that these two Judges, when so nominated by the Queen, for the particular purpose to which I will in a moment refer, shall cease to be ordinary Judges of the Superior Courts. They will receive the salaries and emoluments which they would receive before they were nominated, but they will only be honorary Justices. Their business will be as follows:—In the first place these two nominated Judges of the Superior Courts will have to investigate all questions of controverted elections on the spot. In the second place they will become, with Her Majesty's favour, Privy Councillors and members of the Judicial Committee of the Privy Council, and they will be constant and competent members of that tribunal, which much requires to be strengthened. Subject to the duties of investigating petitions with respect to controverted elections, and the performance of other duties as members of the Judicial Committee of the Privy Council, they will also be required to attend the sittings of the Exchequer Chamber or any future Court of Appeal of an analogous character from the Superior Courts that may be established, and also fulfil other duties there. That is an outline of the tribunal which I propose to establish. The House will observe that this proposal will meet all the chief objections that have been urged against the first tribunal that I proposed, and will also accomplish all the objects on which, I think, the House very properly insisted. It will secure the trial of controverted elections on the spot, and that they shall be conducted before Judges of the Superior Courts. It will obviate every objection urged by the Lord Chief Justice as to the derangement of the public business conducted by the Judges in case we called upon them to consider these cases of controverted elections. It will supply two constant and competent members of the Judicial Committee of the Privy Council, where judicial strength is absolutely required. It will provide full occupation for these Judges at all times, and will be an experiment which will not involve the House in the expense of any costly establishment, because if, under any at present unforeseen circumstance, this should not prove a successful experiment no future nomination need take place. That is the proposition which Her Majesty's Government have to make to the House. It is one which appears to me to obviate all the main objections to the tribunal originally suggested, and which, without inconveniencing the business of the Judges as urged in the Paper by the Lord Chief Justice recently laid before the House, will accomplish the principal objects which the House has in view. If the House will read the Bill a second time, I will move that it be committed this day week *pro formâ*, when I will move clauses to carry the scheme into effect.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Disraeli.*)

Mr. GLADSTONE: I think I may understand the statement of the right hon. Gentleman (the First Lord of the Treasury) as only intended for the immediate purpose before us, that is to recommend that we should, without entering into the important question at issue, assent to the second reading of the Bill. That, I confess, appears to be reasonable and convenient to the House. The plan which the right hon. Gentleman proposes is, in my opinion, undoubtedly a very great improvement on the provisions of the Bill which he explained on a former occasion, and which were adopted by the right hon. Gentleman with great reluctance. It is evident that he gives us this advantage at least, of transferring a jurisdiction which the House has not yet asserted its determination absolutely to part with to those to whom, if it were transferred at all, it ought in the opinion of the House to be transferred—namely, to persons who stand high in rank in the legal profession. The Bill also gives us the very great advantage of a local inquiry. These are ample reasons why the right hon. Gentleman should without difficulty have the power of reprinting his Bill, and of placing its provisions before the House in a shape which he thinks is more desirable for obtaining the assent of the House. The matter is necessarily one of a very novel character. It involves many points which may be open to consideration, and I think that, in cheerfully agreeing to the second reading on the basis which he proposes, we shall not be understood in any degree to forfeit or qualify our right to discuss the particulars of the measure when it is in a fit state to receive our consideration.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday* next

LONDON COAL AND WINE DUES CONTINUANCE BILL.

(*Mr. Dodson, Lord John Manners, Mr. Hunt.*)

[BILL 43.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord John Manners.*)

Viscount ENFIELD asked, whether the noble Lord would consent to adopt the area of the Metropolitan Board of Works for this Bill instead of that of the Metropolitan Police Districts?

Lord JOHN MANNERS had given that suggestion his careful consideration, and was sorry to say that it would be fatal to the objects of the measure. He would, however, be happy to listen to any Amendments which might be moved in Committee.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday*, 19th March.

SALE OF LIQUORS ON SUNDAY (IRELAND) BILL—[Bill 31.]

(*Major O'Reilly, The Lord Cremorne, Mr. Pim.*)

SECOND READING.

Order for Second Reading read.

Mr. O'REILLY, in moving the second reading of this Bill, said, it was precisely the same as the Bill of last year. He was willing to have it referred to a Select Committee and to make whatever amendments in its provisions might be deemed requisite.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. O'Reilly.*)

Mr. MURPHY said, it had been his intention to move that this Bill be read a second time that day six months, but as the hon. and gallant Gentleman said he would refer it to a Select Committee, he (Mr, Murphy) would not now adopt that course. He, however, felt it to be his duty to show what the objects of the Bill were. The Bill proposed to prevent intemperance, an object which he (Mr. Murphy) believed to be impossible, so long as human nature remained as it was. But the objects professedly sought to be attained by the promoters of this movement so far from being carried out by the Bill before the House are absolutely inconsistent with its provisions. If the hon. and gallant Member proposed that there should be a total cessation of the sale of liquors on Sunday, then indeed it might be likely to receive support from those who approved of such an idea; but all it proposed was to stop the consumption of liquors on the premises where they were sold, and thus to get rid of police supervision and control. The consequences would be that a number of men might club together, purchase liquor, and take it to some low, obscure house where the constabulary had no power to enter. He (Mr. Murphy) believed that the great proportion of the licensed vintners were most willing and anxious to cooperate with all who are desirous to prevent abuses, but their interests should not be sacrificed for a measure, which, like that now before the House, could not alone do any good, but would rather tend to aggravate any abuses which may exist. If the Bill were referred to a Select Committee, he hoped that Committee would have power to consider the whole subject of licensing.

The Earl of MAYO said, it was the wish of the Government that the inquiry before the Select Committee should be as wide as possible; for unless some alterations were made in the general system of licensing with regard to the wholesale dealer, such a Bill as that before the House would not work, at least in large towns. Very important questions must arise in the consideration of the subject, and he was of opinion that there was nothing either in the Orders or practice of the House which would prevent the inquiry from being carried into all those matters to which his hon. Friend had referred. Whether the sale of liquors on the Sunday should be restricted or not it would be premature to say; but it would be necessary to investigate the whole of the law with respect to restrictions, and it would be impossible to exclude from the inquiry the licensing system as it prevailed in Ireland. He had very little doubt that before the Session had far advanced the Committee would be in possession of sufficient information to enable the House to legislate in a satisfactory manner, if legislation at all was necessary.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on March 16, Select Committee *nominated* as follows:—Mr. O'Reilly, The Earl of Mayo, Lord Claud Hamilton, Sir Graham Montgomery, Mr. Chichester Fortescue, Mr. Stacpoole, Mr. Murphy, Major Gavin, Mr. Pollard-Urquhart, Mr. Leader, Mr. Pim, Mr. Monsell, Mr. Dawson, Mr. O'Neill, and Mr. Cubitt:—Power to send for persons, papers, and records; Five to be the quorum.

FAIRS (IRELAND) BILL.

LEAVE. FIRST READING.

The Earl of MAYO, in moving for leave to bring in a Bill to facilitate the alteration of days upon which Fairs are now held in Ireland, said the principal object of the measure was to enable an arrangement to be made with respect to the day for opening the great fair of Ballinasloe, which would tend very much to the convenience of a large number of persons. As the law stood at present, the fair at Ballinasloe must be held upon a certain day of the month; but under this Bill the Lord Lieutenant would be empowered to issue an Order in Council providing that the great fair, which lasted for four days, should be held on the first Tuesday in October, and in that way it would always be concluded within the week. It would be also necessary to alter the days on which certain other fairs were held which depended upon the great fair. He might state that the noble Lord who was the owner of the tolls of Ballinasloe fair was favourable to the principle of the Bill, and had expressed a wish that it should be passed into law.

Motion *agreed to.*

Bill to facilitate the alteration of days upon which Fairs are now held in Ireland, *ordered* to be brought in by The Earl of MAYO and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 48.]

METROPOLIS GAS BILL.

On Motion of Mr. MORRISON, Bill to amend "The Metropolis Gas Act, 1860," and to make further provision for regulating the supply of Gas to the Metropolis; and for other purposes, *ordered* to be brought in by Mr. MORRISON, Mr. LOCKE, and Mr. GORST.

Bill *presented,* and read the first time. [Bill 49.]

House adjourned at Eight o'clock.

HOUSE OF LORDS,

Friday, March 6, 1868.

MINUTES.]—PUBLIC BILL—*Second Reading*—Registration of Writs (Scotland) * (15).

REGISTRATION OF WRITS (SCOTLAND) BILL [H.L.] — (*The Lord Colonsay.*)

SECOND READING.

Order of the Day for the Second Reading read.

LORD COLONSAY, in moving the second reading of this Bill, said, that its object was to render the registration of deeds in Scotland in certain cases more useful, and he proposed to effect that purpose by altering and amending some provisions in two Acts which related to the particular class of registers to which alone this measure applied. Under those Acts, as they now stood, and as they had been interpreted, it was in the power of persons to withdraw from the custody of the keepers of the register deeds that might have been placed in their hands, in order to form part of the public records, and even in some cases deeds which had for a certain time and to some extent actually formed a portion of the public records of Scotland.

Motion *agreed to*:—Bill read 2ª, and *committed* to a Committee of the Whole House on *Monday* next.

ARMY—THE SHRAPNEL SHELL.

PETITION.

THE EARL OF CARDIGAN presented a petition from Henry Needham Scrope Shrapnel, late 3rd Dragoon Guards, praying that some National Reward may be conferred on the Family of the late Lieutenant General Henry Shrapnel, in consideration of the services rendered by his shells during the late Campaign under the Duke of Wellington. There was not the slightest doubt that this shell had been found most useful in war, and the late Duke of Wellington and other general officers, commanding troops in Europe and elsewhere, had testified to its merits. The question of this remuneration was mooted in 1837, and received a very satisfactory answer at that time from His Majesty William IV., to the effect that some Court rank should be conferred upon the inventor. Nothing, however, was done in the matter during the inventor's lifetime, and by his will he expressed a wish that some tangible reward should be conferred upon his son in consideration of the services rendered to the country by the use of the shell during the late war. He (the Earl of Cardigan) now begged to propose that those services should be recompensed, or to refer the matter to a Committee to ascertain whether some honour, reward, or advantage should not be conferred upon the petitioner. He was not in a position to state the number of Shrapnel shells which had been used; but he might say with truth that they amounted to millions.

THE EARL OF LONGFORD said, that the noble Earl had gone rather beyond the terms of his Notice in suggesting the appointment of a Committee. Of course, there could be no objection to the reception of the petition, and to its consideration by the House; but, on the part of the War Office, he feared he could hold out no encouragement whatever to the petitioner that its prayer would be granted. It was true that the Shrapnel shell was a most valuable military invention, and that it had been constant use in the service for many years; but in consideration of it the late General Shrapnel had received a special pension of £1,200 a year, which he had enjoyed for twenty-eight years, and had received £10,000 more from the East India Company. His claims to increased remuneration had been considered in 1829 and 1837, and had been rejected by successive Governments; and in 1863 Sir George Lewis decided that no further claim on the subject could be admitted. Sir John Pakington was now of the same opinion. Without referring to this special case—as he was not acquainted with the circumstances of Mr. Shrapnel—he might say that inventors were not always successful in matters of finance affecting themselves.

The representatives of the late Mr. Snider had received from the Government the large sum of £15,000 for the invention of a breach-loading rifle; but notwithstanding this, his family were now before the Government suing *in formâ pauperis* for a further gratuity, for which, unfortunately, the Secretary of State had no available funds.

Petition *ordered* to lie on the table.

House adjourned at half past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 6, 1868.

MINUTES.]—Select Committee—On Army (India and the Colonies) *appointed;* House of Commons (Arrangements *nominated.*
Committee of Selection—First Report *brought up.* [No. 126.]
Public Bills — *Ordered* — County Financial Boards (No. 1); County Financial Boards (No. 2)*; Divorce and Matrimonial Causes Court.*
First Reading—Divorce and Matrimonial Causes Court* [50]; County Financial Boards (No. 1) [51]; County Financial Boards (No. 2)* [52].
Considered as amended—Railways (Extension of Time)* [39].

SCOTLAND—LAW OF HYPOTHEC.

QUESTION.

Mr. **FORDYCE** said, he would beg to ask the hon. Member for Forfarshire, If he intends this Session to introduce any Bill for the abolition of the Law of Hypothec in Scotland?

Mr. **CARNEGIE** replied, that after the discussion which had taken place upon that subject last Session, and seeing the unlikelihood of such a measure passing, it was not his intention to introduce any such Bill.

CHINA—TREATY OF TIENTSIN.

QUESTION.

Mr. **OSBORNE** said, he would beg to ask the Secretary of State for Foreign Affairs, If he will lay before the House Copies of Memorials addressed to Her Majesty's Representative in China on the Treaty of Tientsin by English Chambers of Commerce and Mercantile Firms in China; and, Despatches of Her Majesty's Envoy and Chief Superintendent Consuls in China on the Treaty and its revision?

Lord **STANLEY**: With regard, Sir, to Copies of the Memorials, there is no objection to produce them. They have been already promised, and I hope they will be ready in a few days. But with regard to Despatches from our Consuls, they are confidential communications from the Consuls. The subject of them is now under consideration, and while that is the case I cannot promise to produce them.

METROPOLIS—NEW PALACE YARD.

QUESTION.

Mr. **THOMSON HANKEY** said, he wished to ask the First Commissioner of Works, Whether there is any reason why the entrance gate to New Palace Yard, at the north-east corner near Westminster Bridge, should not be opened at 11 o'clock a.m., instead of as now 4 o'clock p.m., inconvenience being felt by Members and others connected with the House of Commons by the closing of the entrance until 4 o'clock. He also wished to inquire when the new statue of Sir Robert Peel at the entrance gate will be uncovered?

Lord **JOHN MANNERS** said, in reply, that he was not aware why the gate in question should not be opened at the time named by the hon. Member. He would make inquiry, and unless he discovered some good reason he would take care it should be opened at 11 a.m. With respect to the statue of Sir Robert Peel, the hon. Member had better confer with the right hon. Gentleman the Member for Oxford (Mr. Cardwell), who was Chairman of the Memorial Committee, and who would no doubt be able to answer the Question.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE "ALABAMA" CLAIMS.

MOTION FOR AN ADDRESS.

Mr. **SHAW-LEFEVRE**, in rising to call attention to the failure of the negotiations with the United States Government for arbitration of the *Alabama* claims, and in moving for Papers, said, that in bringing forward this important subject he trusted it would not be supposed that he desired to take a course which would embarrass the future negotiations of the noble Lord the Foreign Secretary with the Government of the United States, or which would add to the complications already existing between the United States and this country. Nothing could be further from his wish; if he thought so he should be silent. But, on the contrary, it seemed to him, and those with whom he had communicated, that some good might arise from the discussion of the subject, if it were conducted with candour and a due sense of responsibility. He would not ask the House to follow him through a long statement; but there were certain facts and dates with which he must trouble them. The earliest cause of complaint on the part of the United States Government arose out of Her Majesty's proclamation of neutrality, which was issued May 13, 1861, on the advice of the Law Officers of the Crown. It was not usual with us to publish the opinions of the Law Officers, and therefore we could not with certainty know what were the grounds for their decision; but looking at the facts which were then known it was not difficult to conceive them. The fall of Fort Sumter had taken place on the 14th of April, 1861, and was generally considered the commencement of the civil war in America. Long before that, however, seven of the Confederate States had organized a distinct Government, had made great preparations for war, and had virtually separated from the Northern States. The fall of Fort Sumter was followed two days afterwards by the proclamation of President Lincoln, calling out 75,000 men. That was followed by a proclamation from the Confederate States calling out 30,000 men, and inviting privateers to apply for letters of marque. Next day President Lincoln proclaimed his intention to blockade the Southern coasts, and to treat the crews of the privateers as pirates. These facts reached this country on the 3rd of May, and on the 4th they were published in *The Times*. It was not, however, till the 10th that an official copy of the proclamation reached the Foreign Office. On the 6th of May Her Majesty's Government announced in that House that they should recognize the South as belligerents, and on the 13th of May, as he had stated, the proclamation of neutrality was issued by the Government. The actual blockade was enforced by the North along a great portion of the coast of America by the end of April, and from that day forward there were in the Prize Courts of the North numerous cases of English vessels captured during the blockade, and of vessels of the Southern States captured on the high seas. It was not, however, until some little time afterwards that the Southern flag made its appearance on the high seas. It was the custom of the American Government to talk as if all the vessels which carried the Confederate flag had their origin in this country; but there were four cases of Confederate men-of-war or privateers which sailed from Southern ports before any one was built in this country. The first was a vessel called the *Sumter*, which escaped the blockade from New Orleans, and which, after capturing two prizes off Cuba, put into Trinidad on the 29th of July, 1861, nine days after the battle of Bull's Run. She was received there as a fully commissioned vessel of war, and was provided with coal and provisions. That was the first instance in which the Confederate flag had been recognized by the Government of this country. Another vessel, the *Nashville*, also duly commissioned in a Southern port, shortly afterwards sailed on a cruize of destruction, and put into English ports at various times. It was not till the following year that any complaint was made of a vessel being built and equipped in our ports. In the course of the winter of 1861-2 the Confederate Government sent over here a staff of naval officers with instructions to buy or build vessels of war, their main object being to embroil us with the North. They also raised a considerable loan, out of the proceeds of which these vessels were to be paid for. In due course, the *Oreto*, or *Florida*, was completed by Messrs. Miller and Co., of Liverpool. The American Minister having made a complaint in respect of this vessel, inquiries were made, and the then Collector of Customs of Liverpool, a gentleman who seemed on all occasions to have been easily misled, asserted his belief that she was intended for the Italian Government. She declared for Palermo, but she sailed direct for Nassau, there underwent some judicial investigation, then obtained a portion of her armament, and ran the blockade into Mobile, whence, in due time, she sailed as a vessel of war, burning and destroying every Federal vessel she fell in with. Shortly after the news of the escape of this vessel came to the knowledge of the American Government, they complained that another vessel was being built by the Messrs. Laird, and which was called the "290." Her Majesty's Government again referred to the Collector of Customs at Liverpool, who reported that this vessel was obviously a war vessel, that her builders did not deny it, and admitted that she was intended for a foreign government, but that they would not say for whom. On the 21st of July, 1862, affidavits were obtained by the American Consul throwing light upon her intentions. Among these was one from Passmore, who stated that he had been told by Captain Bullock, who engaged him, that the vessel was intended to fight the North. These affidavits the next day, the 22nd, were also sent to the Foreign Office by Mr. Adams, and on the 23rd the Solicitor to the American Government, Mr. Syramey, on calling at the Foreign Office, was informed by Mr. Layard that the Papers had been sent on the 22nd to the Law Officers. The hon. and learned Member for Richmond (Sir Roundell Palmer), then Attorney General, had, on a previous occasion, told them that they reached him only on the 28th. During that interval they appeared to have been left with the Queen's Advocate, who, according to the routine of the office, would have given his opinion, and sent them on to the Attorney General. Unfortunately, at that very moment the then Queen's Advocate was suffering from a severe malady, from which, it was to be feared, he never recovered, and the result was that long delay. That fact had not hitherto been stated in that House, chiefly through the kind reserve of the hon. and learned Member for Richmond; but, as in a conversation between Lord Russell and Mr. Adams, reported in the American official correspondence, the delay was attributed to that cause, and as it was well known in the States, there was no longer any reason for that reserve. On the 28th, the Papers reached the Attorney General, who at once gave his opinion, and orders were sent to stop the vessel on the next day. Unfortunately, before the order arrived, or was executed, the builders got wind of it, and the *Alabama* got away by a stratagem, under pretence of a trial trip, without a clearance, and with a party of ladies and music on board; not without strong suspicion of treachery, the source of which, he believed was well known in Liverpool. She went to Port Lynas, near Beaumaris, where she received part of her crew, and then sailed to the Azores, where she was met by another vessel, from which she obtained the rest of her men and armament. When it was discovered that she had escaped, orders were sent to Queenstown and Nassau to detain her, but she avoided those ports, and when she put into a British port in Jamaica she was received as a properly commissioned vessel of war. From that time to the end of her career she never put into a Southern port; but she frequently received hospitality, sometimes of a demonstrative character in British ports. She burnt all her prizes, which she constantly decoyed by flying British colours; her crew was for the most part English, some of her officers were English, and she was paid for by money raised in England on the chance of the success of the South; her function was not to fight, but to burn and destroy and run away; she was a kind of firebrand, lighting the seas with bonfires of innocent merchant vessels. The damage she did was enormous; the like of such an enterprize had never before been known, and was scarcely possible until steam had given such a great advantage to steam vessels over merchantmen, which were for the most part sailing vessels. The name of that vessel, her cruize, her bonfires, her English origin and connection, the cheers of that House, he regretted to say, when an hon. Member boasted of his connection with her, and said he would rather be the builder of it than make the speeches which the hon. Member for Birmingham had made—all these had entered deep into the hearts of the American people, and had done untold mischief in raising ill-feeling between them and us. He supposed there were few now who would not look upon all those who were connected with that vessel as among the greatest malefactors of the age. Unfortuately, they were never brought before a criminal tribunal, and it was perhaps on account of their immunity that other similar attempts were made—some successful, others not so. He need not recall to the memory of the House the case of the ironclad rams, also built by Messrs. Laird. The Government by that time had learnt that if they followed the strict line they had pursued in the case of the *Alabama*—namely, of insisting upon strict evidence to connect the vessel with the South, and disregarding the surrounding circumstances of violent suspicion, the vessel would get away. In the case of the rams the Government overstepped the line of the law and detained them on their own responsibility pending further inquiries. It would be recollected that Lord Cairns made a fierce attack upon the Government for having taken that step, and only failed by 6 in defeating them. Was there a Member of that House, he wondered, who did not wish that the same course had been pursued in the case of the *Alabama?* Another vessel, called the *Pampero,* was also seized at Glasgow, and was condemned in the Courts there. At the close of the war she was restored to her owner, who responded to that act of kindness by immediately rushing into another similar enterprize; and under the name of the *Tornado* that vessel had done her best to complicate our relations with Spain. There was also a vessel called the *Alexandra,* which was detained. She underwent a judicial investigation, which unfortunately did not succeed; but he believed she had again on a subsequent occasion been arrested, and legal proceedings were still in progress when the war came to an end. Two other vessels, however, escaped, without, as far as he could learn, any information or complaint having been made by the American Minister; they were the *Georgia* and the *Sea King,* afterwards the *Shenandoah.* Both these vessels sailed by stealth from our ports, met other vessels bringing guns and men to them somewhere beyond our jurisdiction, and then started on the same errand as the *Alabama.* In the case of the last vessel he should mention that a letter from the American Minister at Lisbon to his own Government showed that there was much to be said on the other side of the question as to the negligence of the American authorities. Writing from Lisbon in November, 1864, he complained that he was not kept informed of the whereabouts of the American cruizers, and said that if he had been he might have been able to stop the vessel. He said—

> "It was well known in Liverpool that a steamer called the *Sea King* was to be converted into a hostile cruizer, and that another steamer called the *Laurel* was to proceed to an appointed rendezvous, with the armament to be transferred at a fitting opportunity. That information was in my possession long before either vessel left England; but every effort on my part to communicate with one of our vessels-of-war failed, mainly from the want of knowledge of their whereabouts, and the criminal enterprize succeeded, with abundant means at our disposal to prevent it."

This letter made it the more extraordinary that no information was given to our Government before the vessel sailed. The vessels he had named constituted for a long interval the cruizing force, he believed, of the Confederate Navy, except, perhaps, two or three coasting privateers or some floating batteries, which never left their ports. The damage done by them was very great; they captured or burnt upwards of 200 merchant vessels, with cargoes valued at about £3,000,000. A considerable portion of that loss, however, fell upon English insurance companies, another portion fell upon this country owing to the enhancement of the price of oil and other commodities destroyed. But the damage to the Americans was not measured only by the loss of these vessels; their commerce fled their flags, freights rose so high in consequence of the increased rate of insurance that their vessels could not get them. Large numbers of their vessels were sold either really or collusively to us to be registered under our flag; what they lost we gained. In two years the foreign commerce of America carried under their flag fell to about one-third of what it was before, while that under our flag doubled. This, perhaps, not unnaturally, raised a suspicion in the minds of people in the North that the shipbuilders and shipowners of Liverpool were not even disinterested in the aid which they gave to the slaveowning South. Those only who had travelled in America since the war could, he believed, appreciate the harm which had been done by the cases which he had mentioned, or the extent to which ill-feeling had been roused in that country. This ought to be a reason for treating the question of the *Alabama* claims somewhat generously. He did not wish to exaggerate, nor was he prepared to assert that war would arise out of the matter; but it would afford the means of complication to agitators should disputes arise between the two countries on any other subject. He believed it was now the opinion of all classes in both countries that the *Alabama* question should be settled; and the only question was, what should be the terms of the proposed arbitration? He would next refer to the manner in which diplomacy had already dealt with the question. The first matter was the recognition of the belligerency of the South. Mr. Adams arrived in this country—which they must all regret he would shortly quit—on the very day the proclamation of neutrality was issued. His first task appears to have been to communicate with Lord Russell, and he expressed regret that the British Government had decided to issue that proclamation, which at once raised the insurgent States into belligerents. Lord Russell replied that the proclamation was due to the advice of the Law Officers of the Crown, and that, in recognizing the insurgent States as belligerents, no opinion was expressed on the merits of the war. Mr. Adams, while stating his readiness to assent to that view under other circumstances, intimated that the act appeared to be a little more rapid than the occasion actually called for. At a subsequent interview with Lord Russell Mr. Adams protested against the course pursued; but in the diplomatic communications between the two countries no official despatch was to be found, protesting against the recognition of belligerency, or demanding its recall, or demanding satisfaction for it until a very recent period. Such was not the case in regard to the Confederate cruizers. No sooner was it known that the *Alabama* was capturing and burning Federal vessels than Mr. Adams made a formal claim against our Government for payment of the losses caused by this vessel, on the ground of its remissness and negligence in permitting the vessel to escape. In October, 1863, further information having been received of the number of vessels burnt by the cruizers, the correspondence on that point was resumed, and, in the course of that correspondence, Mr. Adams for the first time offered arbitration to the British Government, but nothing was said about the recognition of belligerent rights, the complaint being confined solely to the remissness of the Government in not maintaining the neutrality they professed, and in not putting the Foreign Enlistment Act into force, and thereby preventing those vessels leaving British ports. On that occasion he did not find that Lord Russell took notice of this offer of arbitration. The noble Lord simply met the claim of Mr. Adams and denied its justice. From that time the claims lay dormant for nearly two years, and when they were renewed in the case of the last vessel, the question of belligerency was then for the first time brought forward. In the course of the correspondence Lord Russell adverted to the claims made by Portugal against the United States in 1824, and pointed out how similar they were to those now made by the Federal Government on England; he also showed that the United States had taken the same line of defence then as England did now. His reasons for declining arbitration were that the British Government could not, with due regard to its dignity, agree to refer the question, whether it had not acted with due diligence and good faith; or whether the Law Officers of the Crown had rightly interpreted the Foreign Enlistment Act? The British Government, his Lordship added, was the guardian of its own honour, and must take its own Law Officers as the interpreters of the law. With this despatch the correspondence closed for some time. But at the close of 1865, President Johnson, in his Message to Congress, adverted to these claims and to the refusal of arbitration in terms at once so dignified and conciliatory that he must refer to them. He said—

> "The formal accordance of belligerent rights to the insurgent States was unprecedented, and has not been justified by the issue. But in the systems of neutrality pursued by the Powers which made that concession there was a marked difference. British ships, manned by British subjects, and prepared for receiving British armaments, sailed from the ports of Great Britain to make war on American commerce under the shelter of a commission from the insurgent States. These ships having once escaped from British ports, ever afterwards entered them in every part of the world to refit, and so to renew their depredations. The consequences of this conduct were most disastrous to the States then in rebellion, increasing their desolation and misery by prolongation of our civil contest. It had, moreover, the effect, to a great extent, to drive the American flag from the sea, and to transfer much of our shipping and our commerce to the very Power whose subjects had created the necessity for such a change. The sincere desire for peace by which I am animated led me to approve the proposal already made to submit the question which had thus arisen between the countries to arbitration. These questions are of such moment that they must have commanded the attention of the great Powers, and are so interwoven with the peace and interests of every one of them as to have insured an impartial decision. I regret to inform you that Great Britain declined the arbitrament. . . . The United States did not present the subject as an impeachment of the good faith of a Power which was professing the most friendly dispositions, but as involving questions of public law, of which the settlement is essential to the peace of nations; and, though pecuniary reparation to their injured citizens would have incidentally followed on a decision against Great Britain, such compensation was not their primary object. They had a higher motive; and it was in the interests of peace and justice to establish important principles of International Law. The ground on which the British Minister rests his justification is substantially that the municipal law of a nation, and the domestic interpretations of that law, are the measure of its duty as a neutral; and I feel bound to declare my opinion, before you and before the world, that that justificatoin canno be sustained before the tribunal of nations. At the same time, I do not advise any present attempt at redress by acts of legislation, for the future friendship be-

tween the two countries must rest on the basis of mutual justice."

The Papers he had referred to were laid before Parliament in the winter of 1865. When Parliament met in 1866, Lord Derby stated in "another place" that he fully approved of the correspondence of Lord Russell and of the arguments by which he had supported the cause of England. In that House no objection was made to the course taken by the then late Government; only one or two Members having ventured to express incidentally their regret that arbitration had not been accepted. He himself, having a strong opinion on that point, had framed a Motion early in the Session of 1866, after consulting with a few who thought as he did, with a view to raising a discussion upon the subject of arbitration; and, having done so, he went about to see how it would be met by other Members of the House. He found that, if the discussion came on, it would elicit so strong an expression of disapproval of arbitration, especially from those who sat opposite to him—the Conservative party—that, after consultation with his friends, and especially with the hon. Member for Bradford (Mr. W. E. Forster), he thought it better not to progress with it, feeling confident that the subject must come on again at some future time; and believing that it was unwise to commit the House too strongly against a course which he was satisfied would have to be taken. If anything at that time seemed more improbable than even household suffrage coming from a Conservative Government, it was that they should offer arbitration for the settlement of the *Alabama* claims. Their whole attitude and their speeches during the war appeared to render it impossible; but it seemed that office brought with it a great change and a sense of responsibility which was wanting before; perhaps, also, the two changes with respect to Reform and to the mode of looking at American questions were not so unconnected with one another as might at first appear. The hostility of certain parties in this country to the Federal cause was due mainly to a dread of its institutions—to an instinct that in the success of the North was involved the success of popular government. It was the homage paid to the force of American institutions. On the success of the North there followed an immediate necessity for an advance towards democracy here, and it was only right that it should be accompanied by a very different tone towards America. He had no desire to taunt hon. Members with either one change or the other—he rejoiced in both. They were both equally beneficial to the country as to hon. Members opposite. But it was right that in estimating our present position we should bear this change in mind. The first symptom of this change was to be found recorded in Mr. Adams's account of his first interview with the new Foreign Minister. Mr. Adams, writing to Mr. Seward, July 12th, 1866, speaking of his first interview with Lord Stanley said—

> "His Lordship, in welcoming me, remarked that he presumed his sentiments towards the United States had been long well known to me. He had always favoured the cultivation of friendly relations with us, and it had been a cause of regret that they should have been at all endangered during the late struggle by ill-considered speeches made in Parliament."

The apology thus given was certainly needed on behalf of some of the noble Lord's Colleagues; and he (Mr. Shaw-Lefevre) could only wish, looking back at the four years of war, that the noble Lord had even occasionally used his great influence by speaking out his own views to remedy the harm caused by such mischievous speeches. The American claims, which had been dormant for more than a year, were again renewed in August, 1866. This time the question of recognition, instead of being treated as a collateral and apparently unimportant matter, now became the main subject of complaint. Mr. Seward's letter on re-opening the discussion was mainly occupied with it, and he treated the question of the maintenance of our neutrality as one of really subordinate nature. He said, August 27, 1866—

> "While yet the civil war was undeveloped, and the insurgents were without any organized military force or a treasury, and long before they pretended to have a flag or to put either an armed ship or even a merchant vessel upon the sea, Her Majesty's Government, acting precipitately, proclaimed the insurgents a belligerent power, and conceded to them the advantages and privileges of that character, and thus raised them, in regard to the prosecution of an unlawful armed insurrection, to an equality with the United States. This Government has not denied that it was within the sovereign authority of Great Britain to assume this attitude; but, on the other hand, it insisted in the beginning, and has continually insisted, that the assumption of that attitude would be an injurious proceeding, for which Great Britain would immediately come under a full responsibility to justify it or to render redress and indemnity. Without descending on this occasion so far as to insist, as we always have insisted,

that there was a deficiency of energy in the maintenance of neutrality, you may remind Lord Stanley that in the view which we have taken of the subject the misconduct of the aggressors was a direct and legitimate fruit of the premature and injurious proclamation of belligerency against which we had protested, and that the failure of Her Majesty's Government to prevent and counteract the aggressions of British subjects was equally traceable to the same unfortunate cause."

The noble Lord, in a despatch to Sir Frederick Bruce three months afterwards, answered Mr. Seward. He met his argument strongly, and denied that recognition had been premature, and repudiated all liability for it. At the same time, he offered arbitration upon the other questions which had hitherto been in dispute. Lord Stanley, writing to Sir Frederick Bruce, says—

"On the other hand, they are fully alive to the inconvenience which arises from the existence of unsettled claims of this character between two powerful and friendly governments. They would be glad to settle this question if they can do so consistently with justice and national self-respect; and with this view they will not be disinclined to adopt the principle of arbitration, provided that a fitting arbitrator can be found, and that an agreement can be come to as to the points to which an arbitration shall apply. With regard to the ground of complaint on which most stress is laid in Mr. Seward's despatch—namely, the alleged premature recognition of the Confederate States as a belligerent power, it is clear that no reference to arbitration is possible. The act complained of, while it bears very remotely on the claims in question, is one as to which every State must be held to be its sole judge of its duty; and there is, so far as I am aware, no precedent for any Government consenting to submit to the judgment of a foreign Power, or of an International Commission, the question whether its policy has or has not been suitable to the circumstances in which it was placed."

Mr. Seward accepted the proposal. Writing to Mr. Adams on the 12th of January, 1867, he said—

"If Her Majesty's Government, for reasons satisfactory to them, should prefer the remedy of arbitration, the United States Government would not object. The United States in that case would expect to refer the whole controversy, just as it is found in the correspondence which has taken place between the two Governments, with such further evidence and arguments as either side may desire, without imposing restrictions, conditions, or limitations upon the umpire, and without waiving any principle or argument on either side."

Lord Stanley, writing to Sir Frederick Bruce, on the 9th of March, 1867, said—

"To such an extensive and unlimited reference Her Majesty's Government cannot consent; for this reason, among others, that it would admit, and, indeed, compel, the submission to the arbiter of the very question which I have already said they cannot agree to submit. The real matter in issue between the two Governments, when kept apart from collateral considerations, is whether in the matters connected with the vessels out of whose depredations the claims of American citizens have arisen, the course pursued by the British Government, and by those who acted under its authority, was such as would involve a moral responsibility on the part of the British Government to make good, either in whole or in part, the losses of American citizens."

The answer made by Mr. Seward to this despatch was unfortunately not given in full in the Papers before the House, but it was printed at length in America. There was only a reference to it in the letter written by the noble Lord to Sir Frederick Bruce. It was dated the 12th of August, 1867. The answer was this—

"The President considers these terms to be at once comprehensive and sufficiently precise to include all the claims of American citizens for depredations upon their commerce during the late rebellion, which have been the subject of complaint upon the part of this Government. But the United States Government in this view would deem itself at liberty to insist before the arbiter that the actual proceedings and regulations of the British Government, its officers and agents, towards the United States in regard to the rebellion and the rebels, as they occurred during that rebellion, are among the matters which are connected with the vessels whose depredations are complained of. . . . The President will be gratified if this explanation shall conduce to remove any of the difficulties which have heretofore prevented the two Governments from coming to the amicable and friendly understanding and arrangement which is so sincerely desired by both."

The noble Lord replied to that despatch on the 16th of November. He said, writing to Mr. Ford—

"The language used by Mr. Seward appears to be open to the construction that it is the desire of the United States Government that any tribunal to be agreed upon might enter into the question whether the act of policy of Her Majesty's Government, in recognizing the Confederate States as a belligerent power, was or was not suitable to the circumstances of the time when the recognition was made. Her Majesty's Government cannot, directly or indirectly, depart from their refusal to refer to a foreign Power whether the policy of recognizing the Confederate States as a belligerent power was or was not suitable to the circumstances of the time when the negotiation was made."

Mr. Seward declined the reference, subject to this restriction. No one who looked carefully at the last few letters could fail to perceive that Mr. Seward had made a considerable change in his position. At the commencement of that correspondence, Mr. Seward's main ground of complaint was our having recognized the Confederates as belligerents, whereas at its close he assented to the terms proposed by the noble Lord. It appeared to him that there were three stages in this correspondence. In the first stage Mr. Seward put the whole question upon the recognition of belligerency, all other questions being treated as incidental and unimportant; in the second, he offered to refer the whole correspondence, as it then stood, to arbitration; and, in the third, he accepted the proposition put by the noble Lord—namely, whether we were morally responsible for the damages occasioned by the *Alabama*, and stated that that proposition was sufficiently precise and comprehensive for his purpose. The difference between the first and last of these stages was very great, and he (Mr. Shaw-Lefevre) could not but regret that the noble Lord had not left the matter there, but had thought it to be his duty to make special exception of the recognition question, which induced Mr. Seward to withdraw from the negotiation altogether. It was one thing to refer the question itself to an arbitrator, and another specially to except from the arbitration another subject, which might well be introduced as an incidental topic bearing upon the main question at issue. If the special exception were not made, it would be open to the other side to introduce the subject as an argument; but, at the same time, it would be equally open to us to object to its introduction as being irrelevant. In view of the nature of the whole question between the two countries, he could not but regard it as a mistake on the part of the noble Lord to require the total withdrawal of Mr. Seward and the American people from what he (Mr. Shaw-Lefevre) considered a bad and false position. The noble Lord might have been satisfied with the concession that had been already made in the course of the correspondence, and it was a mistake to break in upon Mr. Seward with a special exception which he must have known would lead to the failure of the whole negotiation. Looking at the whole tone of the correspondence, it was impossible not to think that it was the intention of the noble Lord to bring the question to a point at which it was possible that arbitration could be agreed on both sides, consistently with the claims of one and the dignity of the other, and that at the last moment, becoming frightened at the position at which he had arrived, he made the special exception in question. The noble Lord had stated the question for arbitration to be, whether we were morally responsible for the damages caused by the *Alabama?* But what was the meaning of the word "morally?" It certainly required some explanation. Was the arbitrator to be at liberty to go beyond the ordinary strict rules and usages of International Law, and to extend the inquiry into the more vague regions of moral responsibility? If so, on what ground were we specially to except from arbitration a branch of the subject which the American people thought bore strongly upon the morality of the question? If the morality of the whole question was to come under consideration, he was not sure that it might not be for our advantage that the inquiry should be extended rather than limited; for he believed that the wider the view taken of the matter, the more would the morality of our position become apparent; while, if it was confined to the question of these vessels only, there was much to be said against the morality of our position. He did not, however, wish to express any opinion upon the main question in dispute. He had ventured during the last few years to differ from the opinions expressed by some learned authorities as to what our international obligations were, but he did not desire at the present moment to enter into that question. Two classes of objections had been raised to arbitration upon this question. It was objected, in the first place, that the question of recognition of belligerency was, in fact, so certain that it was not only not right to allow it to form the subject of arbitration, but that it ought to be especially excepted from arbitration; and, secondly, that the dignity of this country would not permit that question to be raised before an arbitrator. For his own part, he was so perfectly satisfied of the strength of our position on this question that he could not conceive an arbitrator deciding against us, or even holding that it was relevant to the more important question. He believed that war did actually exist at the time of our proclamation of neutrality, and if we required proof of the soundness of our position, it was to be found in Mr. Seward's despatches, and in the decisions of the American Law Courts in the numerous cases of vessels captured while breaking the blockade or seized upon the high seas as being the property of citizens of the Confederate States, in which cases the Supreme Court held that the proclamation of blockade was a proclamation of war, and that, in fact, the Northern States were themselves exercising belligerent rights. But, however, certain we might be upon the point, there were people on the other side of the Atlantic who were equally certain that we were wrong in issuing the proclamation, and that that error had a bearing in some way or other upon the more important questions at issue. After all, the main object of the arbitration was to remove serious grounds of dispute which existed between the two countries, and it would be unfortunate if, by the special exception of this one branch of the subject, there should remain any cause of irritation after the main question had been decided. Again, was certainty a sufficient ground for refusing arbitration, or for specially excluding a particular subject? He ventured to think that it was exactly these subjects on which both sides are equally certain which lead individuals and nations into the worst quarrels, and in these arbitration was most necessary. The House should recollect that only two years ago everybody was equally certain about the main question in dispute, as they now are upon the subject of recognition. Able writers who then laughed to scorn the American claims had now learned to doubt about them, and to find that it was our interest to go to arbitration about them. In view of this change might not Americans say that it was due rather to a sense of our own interest than to any desire to do justice to them; and may they not also think that another year or two may make further changes in our views at least as great? As to the question of dignity, the American Government did not, as he understood, desire that the proclamation of neutrality should be made a question before the arbitrator, but merely that it should be introduced as a topic for discussion, and he could not understand how the dignity of this country could be compromised by this question more than by the more important subject being brought before the arbitrator. He did not advance these views in consequence of an exaggerated feeling of alarm either for the present or for the future. He did not believe that these claims would result in war, although, no doubt, if not disposed of, they would remain as a source of irritation which would render it difficult to settle other matters of difference which might arise in future between the two countries. He was aware there were persons who said that Mr. Seward had raised this difficulty merely for the purpose of deferring a settlement of the matter, and that the Americans would be only too glad to find us at war, in order that they might prey upon our commerce by means of vessels like the *Alabama.* He did not altogether share in that opinion. It was certainly true that in a moment of irritation the Lower House of Congress had passed a Bill to bring their Foreign Enlistment Act into accord with their views of the legal interpretation which our lawyers had put upon ours. But the better sense of the country came to the rescue; it appealed to the honourable past of their country as regarded neutrality towards England, and it pointed out that our Foreign Enlistment Act was in fourteen different items more strict than theirs; it showed that, although they complained of our remissness in some cases, they had in others obtained the detention of formidable vessels which might have prolonged the war; it pointed out that it was neither honourable nor logical, at the same time to complain of our breach of neutrality, and to reduce their own Act to the same level at which they considered ours to be. He believed that we might look forward to the Government of the States honourably endeavouring to fulfil its obligations in the event of our finding ourselves at war; but then, unless the Government was supported by an almost overwhelming public opinion—a sense of duty among its merchants — its efforts would be of little avail, and less there even than here. We felt these difficulties. They would feel them still more. The action of their citizens against Spain and Portugal showed to what extent they might be led, and then it would be that history would repeat itself in a vicious circle which public law ought to prevent. Then, again, should we be perfectly satisfied if the same strict line of interpretation was followed to us—namely, the insistance of direct and positive evidence connecting the building of war vessels with the belligerent Power, even in cases where the surrounding circumstances were of the most suspicious kind, and where no information was given as to the real destination of the vessel—a requisition which, in fact, was the real cause of the *Alabama* going out, but which, in the case of the rams, was not insisted upon, although he regretted to say it was again followed by the present Government in the case of the *Cyclone* and the *Tornado?* At this very moment a Commission was sitting to report whether any changes ought to be made for the purpose of giving increased efficiency to our laws, and bringing them into full conformity with our international obligations. Suppose that Commission reported that it was desirable to alter our laws in conformity with our international obligations, and to give greater force to them, how should we then stand? Should we find that other countries would take their line of conduct in future from our new finding, or would they not rather take it from our action when neutrals? International Law was made up mostly of precedent and usage, and he feared there would be no later precedents than those of the *Alabama* and the *Tornado.* Either we had done right or wrong; either we had fulfilled all our international obligations, or we had not; and it was in the interest of the world at large that this question should be determined; because, if we were right, then, by common consent of nations, some change should be made so as to prevent for the future such scandalous cases as those to which he had had to advert; if wrong, then a precedent would be removed which, as it stood, threatened to create trouble, and dispute, and ill-feeling between other nations, as it had between ourselves and the United States. But there was a higher object in view even than that—namely, that we should set a great example to other nations, by doing that which, by our invitation, was resolved upon at the Congress of Paris—substitute arbitration for that process of war which might determine which was strongest, but not which was right. Above all that, we should adopt that rule with regard to a country with which we had so much in common of blood, religion, language, and Government, and with which we had not one real interest that was antagonistic. He regretted that the noble Lord lost the opportunity which he believed had been offered for arriving at a settlement of this question. He believed it might be regained; and if the noble Lord could then avail himself of it he would earn and receive the thanks of the people of both countries.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of any further Papers relative to the Negotiations with the United States Government for Arbitration of the Alabama Claims,"—(*Mr. Shaw-Lefevre,*)

—instead thereof.

Mr. Shaw-Lefevre

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD **STANLEY**: Sir, I think it due to the hon. and learned Member who has brought this subject forward, and who has dealt with it in so clear and condensed a manner, to acknowledge that he has said nothing which is calculated to increase any feeling of international irritation that may still remain, or to aggravate those diplomatic complications which have unfortunately arisen. In one portion of his remarks I cannot help expressing my cordial concurrence—I mean in the tribute which he has paid to the high character and accomplishments of the existing United States Minister in this country, whose services, unfortunately, we are about to lose. No man has ever had a more difficult part to play than Mr. Adams, and no man, as far as I am enabled to judge, could have played it with greater judgment, temper, and discretion. It is not my duty or my wish to follow the hon. and learned Gentleman into that portion of his speech which related to the conduct of Lord Russell and his Colleagues. Lord Russell had many difficulties to encounter, and he has friends and representatives in this House who will be prepared to vindicate anything that may be said in criticism of the steps taken by him. My business is rather with the present aspect of the controversy than with past policy. I certainly regretted that the hon. and learned Member should in one part of his speech have displayed a slight tinge of partizanship, which to do him justice, he generally succeeded in avoiding. The hon. and learned Gentleman appeared to regard it as extraordinary that a Conservative Government should have consented to refer this question to arbitration, and seemed to think that a change had taken place in our opinions consequent on our change of position. Upon that point I must say—though I do not want to revive old points of controversy—that I think it would be very difficult to point out one single word in any speech made by my right hon. Friend the First Lord of the Treasury or by myself which could show that we had pre-judged the issue to be raised before the arbitrator. I do not put myself forward as having been in this contest a partizan of the Northern cause. I have always thought that it was not our duty to throw ourselves in a partizan spirit into the internal disputes of foreign countries. I hold that we are bound to give both sides fair play, to apply, as far as possible, the same rules of International Law to both; that we are bound to do that, and having done that we are bound to do nothing more. I suppose it is almost unnecessary for any person who occupies the place which I hold to make professions of his desire to settle this controversy if possible. England can have nothing to gain by keeping it open, and has a great deal to gain by closing it. We have vast commercial relations with the United States, a long line of conterminous frontier; we come across one another, so to speak, in every part of the globe; we have on both sides an enormous load of debt, which neither can wish to increase. We can do each other incalculable harm, and I believe it is equally the wish, as it certainly is the interest, of both nations to remain on amicable terms. I need not, therefore, say that we want to arrange this matter if we can, nor do I think in the present state of the question any difficulty arises from the state of popular feeling in England. So far from that being the case, undoubtedly the change from the predominant sentiment of the years between 1860 and 1864 is so strong that, if I may venture to say so, I think I have detected a tendency on our part to be almost too ready to accuse ourselves of faults which we have not committed, and to assume that in every doubtful point the decision ought to be against us. I do not deny that, as the world goes, that is an error on the right side. Indiscriminate resistance to reasonable demands is mere folly and mischief; but indiscriminate concession to all demands, merely because they are strongly urged, whether they will bear the test of argument or not, is a course which, in the end, is equally likely to lead to inconvenience. What we have to do is to try and find out what are the strict rights of the case, to state the case so ascertained temperately and fairly, to endeavour to do justice as far as we are concerned, and, having done that, to appeal frankly and confidently to the existence of a corresponding spirit in those with whom we have to treat. Now, Sir, there never was a case in which it was more desirable to define accurately what are the points to be settled than the one with which we are now dealing, because, upon the other side of the water, and perhaps upon this also, the question has been complicated by all sorts of grievances, to the nature of which the hon. and learned Gentleman slightly referred—grievances which I will not call unreal, and which I do not say are unfounded, but still grievances of such a vague and general character that we should find it very hard to define them. I do not complain of this, but merely refer to it as a fact. If we were Northern Americans we should probably entertain pretty much the same feeling. Men who have emerged from a civil war, in which they sacrificed a million of lives, and incurred £500,000,000 of debt, are not for some little time in a position to appreciate with perfect coolness the conduct of those who were in the position of critics and lookers on in the quarrel. I am not now saying whether in my judgment our course was in every instance one of rigid neutrality; that is the very point we are endeavouring to ascertain by arbitration. But if our neutrality had been the most rigid and most absolute it is possible to conceive, there can be no doubt that we should have fallen short of the expectations of the people of the United States. What they expected from us at the beginning of the contest was, not neutrality pure and simple, but neutrality so far as all material assistance was concerned, coupled, however, with a strong moral sympathy and support. Where such a feeling exists and is disappointed, as it certainly was in this case, it is obvious that the disappointment so produced will find vent in some shape. I mention this because it is the key to a good deal of the exaggerated tone of writing and speaking which has been observable on the other side the Atlantic in the earlier stages of this controversy. And in that point of view I do not regret the time that has passed. On both sides we can discuss the matter very much more calmly and fairly in 1868 than we could in 1864. Passions of the moment pass away, but facts and arguments remain. And, happily, as the case now stands, the controversy, though still pending, is reduced within the narrowest possible limits. Upon the disputed questions of fact and law, questions upon which it was not likely, if possible, that the two Governments could come to an agreement, we are of one mind so far as this, that we know we cannot agree, and therefore we are prepared to abide by the decision of a third and presumably impartial power. The principle of arbitration, as far as we are concerned, is accepted; and I may say is accepted on both sides, for we differ only upon a point of detail. That is a very important step gained. I am not making it a matter of complaint that it was not gained before, for I recognize most fully that, in a case of this kind, time makes many things easy which were not so at first. We have conceded almost everything that was asked for when this dispute began. I think I am right in saying that if it had been possible to grant a limited arbitration, such as we have now proposed, when it was first asked, the question of the alleged premature recognition of belligerency never would have made its appearance. It was incidentally mentioned, but that was all; but by a peculiar process, which I do not altogether pretend to explain, that grievance, whatever its value may be, seems to have been gaining importance in the minds of American statesmen, and of the American public, just in proportion as on this side of the water has grown up a feeling of desire to remove all other causes of difference. The sole point unsettled between us is this—"You are willing," the United States say, "to refer to arbitration the question of the *Alabama* and other kindred vessels; are you willing to include as a point in the reference the question whether you were right or wrong in recognizing the Confederates when you did?" To that the answer we have given in substance is that, as at present advised, we cannot see what bearing the two things have on each other. For all practical purposes, as bearing on the events of 1862, you might as well include the question, whether we were right or wrong in the war of 1812? There are some persons who do not accept that view of the case; I will therefore endeavour to explain what my view of the question is. I suppose that no human being will contend that at no period during that prolonged struggle of four years the Confederates had become entitled to belligerent rights as such. That pretension has never been put forward. But if they were belligerents at some time, and not so when recognized as such, what was the time when they first became invested with that character? Take a date that will test the question. If ever they were belligerents, I suppose they were so after the celebrated battle at Bull's Run. They had then a large force in the field, for a time at least they had achieved a military superiority, and, Washington itself was threatened by their armies. Suppose we had recognized the

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Confederates after that battle, would any human being have found fault with us? Could anyone have charged us with being precipitate in our recognition? And had we done that how would it have affected the *Alabama* question? The *Alabama* escaped in April, 1862; Bull's Run was fought in July, 1861. If I had chosen to take that line of argument in my despatch it would have been competent for me to contend in this way:—"I grant we were wrong in recognizing the Confederacy when we did; we ought to have done it in August, and not in May. We were six months too soon. But having admitted that, will you, the American Government, tell me how your case as regards the *Alabama* would be in any way affected if we had done what you contended we ought, and made the recognition six months instead of twelve months before the *Alabama* sailed?" It is on this ground of irrelevancy that I rest more than that of national dignity. But there is another objection to a compliance with the United States demand that this question of recognition included. Would any arbiter deal with it? That is a point on which I find considerable doubt. Arbitration, as we proposed it, was simple in character and not difficult to deal with. Given two belligerents, given a neutral Power, the problem to solve is—has that neutral Power fulfilled faithfully and effectually the obligations imposed on it by International Law? Now, granting that International Law is sometimes vague and uncertain; granting that new circumstances occur not met by precedent, and that much must be left to the discretion of the arbiter, that is still a question governed in the main by recognized international principles, and on which a friendly Government would not be unable, and probably not unwilling, to pronounce a decision. But if you complicate the matter by adding to it a question of a totally different character, as to whether a certain political act, the recognition of a belligerent, was or was not suitable to circumstances under which the Government was placed, what rule is there to go by? Is it a matter of precedent or moral justice? Are political considerations included also? It is contended that recognition was premature, but premature in what sense and for what purpose? No one will deny that this was a matter affecting us as an independent State, and that we were not merely entitled but bound by the necessity of the case to use our own discretion. That doctrine of freedom in such matters has been insisted on, curiously enough, by no parties more strenuously than by the United States Government themselves. I will cite two out of many cases. In 1849, only twenty years ago, the United States Government proposed to recognize Hungary, then in a state of insurrection, not merely as a belligerent, but to recognize the revolutionary Government of Hungary as an independent State. The Austrian Government complained, as was natural, and a correspondence ensued. It was conducted on the American side by Mr. Webster, certainly not the least able or eminent of American statesmen, and Mr. Webster's reply was in these words—

> "That if they had done so, though the step would have been precipitate, and one from which no benefit would have resulted, it would not, nevertheless, have been an act against the Law of Nations, provided they took no part in the contest against Austria."

Does not that utterance go immeasurably further than anything which has come from us? Such is the doctrine distinctly put forth by a distinguished American statesman. I will cite another case. In 1836 Texas was fighting for independence from the Mexican Republic. The question arose about the admission to New York of a vessel bearing the Texan flag. The United States Government defended the admission of these vessels, and in the course of their argument they used some remarkable words, which I should like to read. They begin by saying that from the beginning of the revolution South American vessels had been admitted under their own or any flag to the ports of the United States, and that the same rule had been observed in civil wars between the various States. [Mr. Roebuck: Who is the writer?] The Foreign Minister of the day; and he goes on—

> "It has never been held necessary as a preliminary to the extension of the rights of hospitality to either party" (meaning of course the admission of ships of war to the rights of belligerents) "that the chances of the war should be balanced, and the probability of eventual success determined. For this purpose it has been deemed sufficient that the party had declared its independence, and at the time was actually maintaining it."

Had not the South declared its independence in May, 1861, and was it not maintaining it? In face of these claims put forward by the United States Government to absolute freedom of action in such a matter, I confess I do not see that it can be reasonably contended by them that an independent State, acting as it necessarily must on its own discretion, should be called upon to pay a pecuniary fine, even although its discretion had been unwisely used. Put it the other way. Suppose we had not recognized the South at the time we did, or we had not recognized it at all — suppose fortune had turned in their favour, and they had succeeded in establishing their independence, would you say that the Confederates were entitled to call us to an account for not having recognized them early enough, and by such delay having injured their prospects? So stated, the question seems absurd. But if we are responsible one way we are responsible the other. If damages are to be given for premature recognition, as injuring one side, why not for tardy recognition as injuring the other? And then in what a position is a neutral Power placed whenever a war breaks out? This is not a question for the moment only. It is a question of general International Law; it is a question which will create a precedent; and we are bound not merely to do what is convenient for the moment, but to consider the effect which our decision may have on the future. The ground on which I rested in limiting the arbitration, as I proposed to do, was first, that the United States propose to us a matter for arbitration which is irrelevant to the issue; secondly, that the irrelevant question was one to be decided by considerations of State policy, and not of legal obligation, and therefore is incapable of receiving legal solution; thirdly, that the United States Government, in sundry parallel cases, had absolutely refused to admit any responsibility for adopting a similar course; and lastly, that I believe no one would undertake to arbitrate on a case so entirely vague and undefined. I will not now argue the case on its merits, as far as recognition is concerned, for this reason, that I quite agree with the hon. and learned Member who brought forward the Motion, that the strength of our case is no reason for refusing to arbitrate upon it. But I may just observe that in recognizing the Confederates as belligerents at the time when we did, we were simply declaring on May 13 a state of things to be civil war which, in three or four official documents of earlier date, since published, Mr. Seward, on the part of the United States Government, himself declared to be such. These documents were not private letters, but State Papers, which have been laid before Congress, and printed by authority; they bear date nine, twelve, and sixteen days before the Queen's proclamation. I will read only one, and that shall be brief. On the 4th of May, nine days before the issue of the Queen's proclamation of neutrality, Mr. Seward writes in these terms—

> "The insurgents have instituted revolution with open, flagrant, deadly war, to compel the United States to acquiesce in the dismemberment of the Union. The United States have accepted this civil war as an inevitable necessity."—[*Correspondence relating to Foreign Affairs*, accompanying the President's Message to Congress in December, 1861, p. 165.]

I should be sorry to say anything that would even look like want of courtesy to the eminent and accomplished diplomatist by whom this correspondence has been conducted, and, than whom, no man in the United States has probably greater ability or larger experience. But, if the question were one which we could discuss face to face, I should venture to ask Mr. Seward, whether he could with gravity call upon me solemnly to refer to the arbitration of some neutral Power, of some third party, this question—whether we, the British Government, had a right on the 13th of May to declare that to be civil war which in various documents, all bearing dates antecedent to the Queen's proclamation, he, Mr. Seward, himself had christened by that name? Let it be noted also that the highest Court of Law in the United States, in a passage which has often been quoted, declared the state of things which then existed to be a state of war; and another argument, familiar to all who have studied the subject, is that if there were no war there was, of course, no blockade, and we might claim damages for every blockade-runner captured. Claims such as these would mount up to an almost inconceivable total, and I really cannot think that the statesmen of the United States would be willing to let in these enormous claims for the sake of insisting upon a point which practically and in its immediate application is not important, though I admit that indirectly it may have considerable importance. I am glad to believe—and there can, I think, be no doubt—that as there has been a great change of feeling here within the last two years, so on the other side of the water a corresponding change is taking place now that the question is better understood. I saw a very remarkable article the other day, which was quoted from one of the leading journals in the United States. The passage is very brief, and I shall read a few lines of it. The *New York World* of the 18th of February said—

> "*The Times*" (meaning, of course, the *New York Times*) "concurs fully in the three great points which we made:—first, that there is not the remotest chance that any arbitrator likely to be chosen would undertake to say that the Queen's proclamation of neutrality was a wrongful act; second, that this particular question is incapable of being made a subject of arbitration; and, third, that it has nothing to do with the merits of our real claim."

The *New York World* treats this as a remarkable admission. And I must say that the fact of such an admission having been made in a leading journal in a country which, perhaps, more than any other is governed by public opinion as it finds expression from day to day in the newspapers, is an encouraging sign. I do not wish to detain the House; but I think I have said enough to show that the proposed conditions of the reference were not arbitrary or capricious—still less were they such as I have seen it hinted out of doors that they were—mere devices to evade referring the matter to arbitration at all; but that they were founded on an intelligible and, I think, sound principle. If the negotiations have been for a time, I will not say broken off, but suspended, the House will see that the rupture or suspension did not come from our side. We made our offer, and it has been declined. According to ordinary usage, it is now for the complaining party to speak, and if they do not like our plan of arrangement, to propose their own. Something was said by the hon. and learned Member as to our language being varied at different stages of the negotiation. It is difficult to remember with accuracy all the arguments which have been put forward in a long controversy; but I can answer for it that my own ideas on the subject never varied. [Mr. SHAW-LEFEVRE: I said that Mr. Seward's language varied.] Oh, very well, then I will pass that matter over. I am very glad that the hon. and learned Member, with his recent American experience, agrees with me as to the general character of the feeling that exists in that country. I have indeed heard it said, "You ought to settle this matter at once, or you will have a quarrel." I am as anxious to settle it as any man in any part of this House can be; but I do not believe in the likelihood of the quarrel.

I have never concealed my opinion that the American claimants, or some of them at least, under the reference proposed by us, were very likely to make out their case and get their money. To us the money part of the affair is inappreciably small, especially as we have on our side counterclaims, which, if only a small portion of them hold water—and you never can tell beforehand how these matters will turn out—will reach to a considerable amount, and form a by no means unimportant set-off to the claims preferred against us. But I think if matters were fairly adjusted, even if the decision went against us, we should not be disposed to grudge the payment. The expense would be quite worth incurring, if only in order to obtain an authoritative decision as to the position of neutrals in future wars. If, therefore, the *Alabama* claimants are kept out of what may be due to them, they ought to understand, and I think they will understand, that it is not by the act of our Government that this has been done. And though party politics may run high in the United States, I will not believe that any party can be so reckless or insensible to the interests of their own country as to engage in a quarrel—possibly ending in a great and costly war—for the sake of enforcing in one particular way a claim which it is in their power to settle, and probably to settle in their own sense, without any recourse to violence. To do so would be not only contrary to the reasonable views which the American people are in the habit of taking of political affairs, but would be, in the French phrase, for which no English equivalent exists, *enforcer une porte ouverte*—breaking open a door that is not locked. I cannot but think that in some way, directly if not indirectly, and I am not inclined to be very fastidious as to the form—the United States Government may be induced to join in measures which may lead to an arrangement. If they decline to do that, it remains to be seen whether any other solution of the question in dispute can be found. Mr. Seward, in these Papers and in communications I have received from him through Mr. Adams, has more than once thrown out hints with respect to something in the nature of a General Commission which should deal with all the outstanding questions of all descriptions between the two countries. I have verbally, and through Mr. Adams, suggested that he should develope that idea. Speaking as an individual, and without prejudice to what may be done in the future, I should have thought that International questions were better settled one by one; but I am not disposed to reject any reasonable mode of bringing about a settlement; and if we can agree in substance on any mode of bringing about a solution, I do not think either the Government, the House, or the country would be disposed to stand out upon a mere matter of form. Before I sit down I may say that the reception of the new British Minister at Washington has been not only friendly but cordial, and everything leads me to think that the feeling in the United States towards England is decidedly improving. Now, having stated the facts of the case, and stated them as briefly as I could, I shall leave the matter to the judgment not only of this House and of this country, but of all fair and impartial persons on both sides of the Atlantic.

MR. W. E. FORSTER most sincerely thanked the noble Lord for the tone of his speech. He did not pretend to be more anxious for peace between England and America than other hon. Members; but he was anxious for it, and he could not conceive any remarks more likely to remove the irritation between the two countries than those offered by the noble Lord. He believed that the difficulties which existed were not so great as had been imagined. The hon. and learned Member for Reading (Mr. Shaw-Lefevre) made use of too strong an expression when he said that the negotiations had failed. If that had been so, he (Mr. W. E. Forster) should have deeply regretted it, not merely on account of our relations with America, but because he wished to see the principle of arbitration carried out, and he thought that a precedent for it might have been established in the present case. The state of things was simply this. Mr. Seward wished to bring before the arbitrator the question of premature recognition of belligerent rights, and the noble Lord said that he should not allow him to do so. He (Mr. W. E. Forster) did not for a moment sympathize with the American Government in their claims against this country on account of what they called this premature recognition; but he must say that he did not think that the ground upon which they based their claim was precisely that stated by the noble Lord. He did not think that the American Government said anything so absurd as that there was no civil war existing when the proclamation of neutrality was issued; but what they said was that though there was war going on in America, there was no war raging at sea, and that it was not our business, as a neutral Power, to take notice of what might happen but had not yet happened—a naval war, and that by our proclamation of neutrality as between naval belligerents we hastened the time at which the naval war broke out. That was no doubt an unsound position; but still it was held by a vast number of men, and by men of considerable intelligence, in the United States. It was nowhere so well stated as in the first official despatch relating to recognition of belligerency which passed between the two Governments. It must be remembered that, though Mr. Adams, in his first interviews with Earl Russell protested against this recognition, yet that his first despatch on the matter was written so recently as April, 1865, in which the ground upon which he put the matter was that it was wrong to acknowledge the South as a belligerent "before they had a single vessel of their own afloat." It was necessary this should be borne in mind, because the wish of the House and the country, in their present temper, was to understand the position taken by the United States Government on this subject. He thought, however, that he could give, from his own personal experience, some little ground for believing that the United States Government were mistaken in that position, though, certainly, it was more intelligible than that generally attributed to them. At the time that the neutrality proclamation was issued by our Government he personally was very much interested on behalf of the North. He felt that a war was beginning upon which would depend whether slavery—the greatest curse that ever afflicted the human race—should be extended all over the American Continent, or should receive its deathblow. He was not ashamed to acknowledge that in that war he was a partizan of the North. Having that feeling, he heard that letters of marque had been sent by Mr. Davis to this country; and the question arose how British subjects could be prevented from having anything to do with those letters of marque. He took the best advice he could get, and was told first that vessels sailing under these letters of marque would be pirates; and he believed that fifty years ago they would have been so considered and treated by England. Before, however, taking any steps to impress that view on the House, he consulted the work of Wheaton, a great American authority upon International Law, and he found that in his book the law was stated in most distinct terms. Wheaton said—

> "Until a revolution is consummated, and while the civil war continues, any neutral Government that wishes not to help either of the parties must treat the Government *de facto* as a State entitled to the rights of war."

Upon reading this he felt that if he had come down to the House and said that these vessels should be treated as pirates, he should be at once met with the authority of Wheaton for saying that they were entitled to belligerent rights. Still, there was the question, how vessels under letters of marque were to be prevented from leaving our shores; and he himself asked the Government on the 9th of May, 1861, what steps would be taken to prevent the infringement of the law by British subjects? It was in answer to this question that Sir George Lewis for the first time stated that a proclamation of neutrality would be at once issued; and that that would set forth the law, which in general terms was, that no British subject should take part in such a war. This proclamation, therefore, was considered by many not as unfriendly towards the United States, but rather as the only way in which British subjects could be prevented from entering into the war; while, however, he by no means sympathized with the convictions of Mr. Seward in reference to the proclamation, yet he could not but think that the noble Lord had somewhat misunderstood the position Mr. Seward took upon the subject. In his closing despatch on the 29th of November, 1867, Mr. Seward said that—

> "We are now distinctly informed by Lord Stanley that the limited reference of the so-called *Alabama* claims which Lord Stanley proposes is tendered upon the condition that the United States shall waive before the arbitrator the position they have constantly maintained from the beginning, that the granting of belligerent rights to the insurgents was not justified on any grounds either of necessity or moral right. This condition being inadmissible, the proposed limited reference is declined."

He did not understand Mr. Seward's position to be that the question whether what had been done was according to the Law of Nations should be referred; but to complain that before entering upon arbitration with regard to the *Alabama* claims he was to be compelled to waive his conviction, repeatedly expressed, that the proclamation was premature, and contrary to International Law. It would have been too much to expect the noble Lord to give up his opinion on the matter; but, on the other hand, he could hardly expect Mr. Seward to concede that the proclamation was called for by the necessity of the case. If he had said, "I refer the two questions, first, whether there is any money due in reference to the *Alabama* ships, and also, whether we broke the law by granting belligerent rights," it would have been open for us to say "We will not refer this last question," but what the noble Lord said was, "We will not refer the other matters to arbitration unless you acknowledge yourself to be wrong in reference to the ground that you have been constantly taking with respect to the proclamation having been premature and contrary to International Law."

Lord STANLEY said, he did not require that. He only said he objected to have that a question before the arbitrator.

Mr. W. E. FORSTER said, he believed that Mr. Seward thought that if he entered upon the arbitration he must acknowledge that the assumption that he had made that the proclamation was not called for was a wrong one; and that the noble Lord should not have enforced any such conditions. He did not know why we should have refused arbitration even if Mr. Seward had desired it on the question of recognition; for we had the strongest possible case, and all the noble Lord's arguments might have been brought before the arbitrator instead of as reasons why the arbitration should not be assented to. If arbitration was to mean that which he believed was the intention of the Powers who were parties to the Treaty of Paris—and which he hoped would be acted upon in future—an attempt to decide a question in dispute between two nations by means of the decision of a third party rather than by war or a threat of war—then the fact that we were confident as to what our right was was no ground for not arbitrating, and consequently, if Mr. Seward had desired to refer this question, he (Mr. W. E. Forster) did not see why his wish should not have been admitted. But at any rate at the end Mr. Seward did not ask for this, and the hon. Member for Reading was right in saying that his last despatch bore a different meaning from his first one. He said first that the United States would expect to refer the whole controversy such as it was found in the correspondence, and this might be supposed to include the question of recognition; but after the noble Lord's reply Mr. Seward took different ground or so defined his first statement that it bore a different interpretation. He then said that he must be at liberty to insist before the arbitrator that all the proceedings of the British Government towards the United States in regard to the rebellion are among the matters connected with the vessels whose depredations are complained of. He thought that what Mr. Seward meant was that he should have the right to allege the recognition as an argument in favour of the claims made; and he (Mr. Forster) could not see why he should not be allowed to do so. He thought that Mr. Seward's argument would be a very bad one, and, of course, the noble Lord's representative at the arbitration would have had a right to say that the argument was not relevant; and, indeed, he believed that the representative of the United States at the arbitration would have felt that the argument was so bad that we should never have heard of it again. It was very much to be regretted that after Mr. Seward had taken up this position he should have been called on by the noble Lord to eat his own words; but after all he hoped that what had happened was only a hitch in the settlement, for he could not but believe that some means of settlement would be found. Everybody in England, and the large body of influential persons in the United States desired that the matter should be settled. He believed that there was no party in the United States that did not desire this except the Fenians. If it should turn out that he was right in the supposition that the American Government only wanted to make use before the arbitrator of certain arguments, he hoped that the noble Lord would not object to their doing so; but would allow those arguments to be used, reserving to himself the right of disproving them. They should further consider whether arbitration was the only means of settling the matter. Tremendous injury had been inflicted on American citizens by means of the attacks upon their ships, and if the present misunderstanding was not settled upon a principle which would carry with it the feeling and moral sense of both countries, there was reason to fear that whenever we engaged in war, we would suffer in the same way. What naturally came forward under these circumstances was the wish that International Law should be so arranged that in future the inhabitants of both countries should be prevented from carrying on private war. And if America should say, in answer to that proposition, "You must first make recompense for what has passed," why should not that matter be considered? If the two countries—the greatest maritime nations in the world—agreed to some international or municipal law which would prevent the escape of these pirate vessels for the future, we might be quite ready to give indemnity for the past. The noble Lord had alluded to the proposition of Mr. Seward. There were now several questions in dispute between the two countries, and it was impossible to believe that a willingness on the part of Her Majesty's Government to settle them, would not be responded to by the Government of the United States. He could not but think that if any statesman of high position in England were sent to America by the noble Lord, with power to arrange all the matters in dispute, they could all be arranged. He repeated that there was no party in England that did not wish for a settlement, and he believed that there was no such party in America, except those irreconcileable enemies of ours whose only hope lay in such questions remaining unsettled; and if we could get rid of these questions we should strike a greater blow at Fenianism than by anything else which we could do.

SIR GEORGE BOWYER said, that the hon. Member who had just addressed the House had assumed that the question of the *Alabama* involved that of the carrying on of private war by the subjects of one country against another country. For his own part he was unable to see the justice of that view. But his object in rising was to call attention to one aspect of this subject which, in his opinion, had not been sufficiently considered. He referred to the bearing on the *Alabama* question of the doctrine of International Law, with respect to contraband of war. Some persons supposed that the doctrine established what they termed a conflict of right, because on the one hand private persons are allowed to deal in contraband of war, while on the other belligerents have a right to condemn that contraband of war. Now, with all due respect for those authorities who held this view, he must express his opinion that to talk to a jurist about "conflicting rights" was about the same thing as to talk to a mathematician of a triangle the three angles of which were greater or less than two right angles. For to prevent any man from doing that which he has a right to do is not the exercise of a right—it is a wrong. What, then, was the real principle of the most important doctrine of International Law in regard to contraband of war? He need not quote authorities on this point, because the law was so clear. The principle was that no Government was bound to make itself responsible for the ordinary trade of its subjects when that trade was carried on with belligerents. If that principle were not laid down, it would be extremely difficult, and, perhaps, impossible for a Government to maintain neutrality. The sale of a stand of arms or a barrel of gunpowder would compromise the neutrality of a country; and it would, therefore, be necessary for every country, when a war was going on in any part of the world, to keep an inquisitorial surveillance over the whole trade of its subjects—though practically it would be almost impossible to carry out such a surveillance. It was in order to avoid this inconvenience that the doctrine of International Law had been established in regard to contraband of war—namely, that the subjects of a neutral country might carry on trade with a belligerent, as if no war existed; while on the other hand the belligerent might seize on the high seas anything which was contraband of war. And for the more clear understanding of that right it had been the habit of belligerents to publish at the commencement of a war a declaration enumerating the articles which they would consider to be contraband of war. Vattel stated the doctrine clearly in a few words. in Book III., chapter 7, of his Work on *International Law*. He said—

> "If a nation trades in arms, timber, ships, munitions of war, I cannot complain that it furnishes these things to my enemy, provided it does not refuse to sell those articles to me at a reasonable price. It exercises its traffic without intention to injure me, and by continuing that traffic as if I were not at war it gives me no just cause of complaint."

Anything more completely in point it would be difficult to find. Now, let us apply this clear principle, not only of International Law, but of sound common sense, to the case of the *Alabama*. The States of the South being at war with the States of the North, sent to certain eminent shipbuilders at Liverpool a commission to build a ship according to specification. No doubt the specification showed that the ship was to be used for a warlike purpose, but that was precisely the case contemplated by Vattel. These people traded in ships in the ordinary course of their trade, and were as much at liberty to sell a ship to the North as to the South; and it was not their duty to consider whether the vessel were intended for warfare or for the peaceful operations of commerce. But the Northern States had their remedy. All the Northern States had to do was to capture the *Alabama* and to condemn her as contraband of war. What had the English Government to do with the *Alabama?* They were not bound to keep a surveillance over all the shipbuilding establishments in this kingdom. All that the English Government had to consider was that they would have been guilty of a breach of neutrality if they had allowed one belligerent to purchase ships and had prevented the other doing the same. It was only by perfectly impartial conduct towards both belligerents that England could be expected to preserve her neutrality. Now with regard to the Foreign Enlistment Act it seemed to be assumed on one side that that Act made an alteration in the position of England, with respect to International Law; but that could not be maintained by a tittle of sound legal argument. If the Foreign Enlistment Act could be enforced only by the action of Government, then the comity of nations might have required that the Government should have taken action in the matter of the *Alabama,* stopped the ship from leaving Liverpool, and punished those who had violated the Act. Even then, however, it would have been for the English Government to have considered whether it would enforce the law or not, because it is a universal principle of public law, founded on the exclusive sovereignty of every Government, that within its own territory no country is bound to enforce its municipal law at the dictation of a foreign Government. This was the distinction between municipal law and a treaty. If the Foreign Enlistment Act had been a treaty with the United States, then the British Government must have enforced the provisions of it; but the Foreign Enlistment Act was a municipal law; municipal laws were made for municipal purposes; and it was the right of every Sovereign State to consider, with reference to its own interests and the object its legislature had in view, whether it would or would not, in any particular instance, enforce its own municipal laws. The Foreign Enlistment Act was not one of those Acts which could be enforced only at the instance of the Government. Any British subject or any foreigner could go intoa Court of Law and call for its enforcement; and the Crown would lend its name to any prosecutor under this Act. It was true that power was given to the principal officers of Customs to detain a vessel; but that did not impair the statement of the law he had made. It was perfectly competent for the American Minister or Consul or anybody whatever to go before a magistrate and lay an information against a shipbuilder, and ask for a warrant against him and all concerned in a breach of the law. Thereupon, these persons would have been apprehended, and the principal officer of Customs, in discharge of a purely minsterial duty, and in obedience to a warrant issued by a competent authority, would have detained the ship. It appeared to him that the Government of this country ought to have said to the Minister of the United States—"We do not wish to undertake an unlimited responsibility with regard to the dealings of the trade of our subjects in contraband of war; but in any matter which may involve a violation of one of our municipal laws go you into a Court of Law and lay your information before a magistrate. You will receive redress, and the law, as laid down by judicial authority, will be put in force by the Executive." That was the course Her Majesty's Government ought to have taken; but the Government of the day committed a great error—an error which gave them the appearance of being responsible. They took action in the matter; they telegraphed to Liverpool, and sent down persons to stop the *Alabama;* and by doing so they made themselves appear to be responsible for the trade of the shipbuilders. They appeared to renounce the right which every Government has of saying, "According to the rules of International Law we are not bound to interfere with the trade of our subjects, and when our subjects do trade with belligerents, in things which are to be used for warlike purposes, it is for the other belligerents to take their own remedy by capture." But although the Government of the day committed a mistake by interfering in this matter, that did not really alter the merits of the case. What the Government did was a work of supererogation; they did more than they were bound to do, what they were not obliged to do, and might have declined to do. With all respect to the Government of the United States, it appeared rather hard, when the English Government stepped forward and did what International Law did not peremptorily require them to do, that they should be made responsible for a slip and a failure in doing what they intended to do. No doubt, it was unfortunate after the British Government undertook to stop the *Alabama* that it should have escaped; but that was an accident. The Government of the United States had not imputed fraud or dishonesty to our Government. Whether somebody did or did not betray the secrets and intentions of the Government was immaterial — the Government stood guiltless in the matter. They took action, and did what they were not bound to do for the enforcement of the Act; and there the matter ended. The United States Government could have no fair and reasonable ground of complaint. He had laid this argument before the House, because this was a part of the question which had not been sufficiently ventilated. He agreed with the hon. Member for Reading (Mr. Shaw-Lefevre) that the temperate and quiet discussion of the matter might probably promote a solution of the difficulty, and he was sure there was no one who did not wish to see the matter settled in such a manner as to satisfy even the Government of the United States. The feelings of the people of this country were friendly towards the United States, and he believed it was a mistake to suppose that Conservative Members of the House were less friendly to the United States because they entertained some dislike for the institutions of that country. The question, whether the recognition of the South as a belligerent ought or ought not to be included in the reference was one rather for the Crown than for the House of Commons. It was a question of policy depending upon a number of circumstances and facts which were best known to the Government and those who had conducted negotiations. There was a considerable degree of doubt upon the subject, and, that being so, the House would act unwisely if it expressed an opinion on one side or the other. If the question of the recognition of the South were referred to arbitration, he believed it would be decided in favour of this country. In saying this he could not give entire assent to some of the arguments adduced from the Treasury Bench, and by those who took the view of the Government. It had been supposed that by the very fact of the establishment of a blockade the Government of the United States precluded themselves from denying the quality of a belligerent to the South. That was a mistake; because there was a well-known doctrine of the Law of Nations called that of "unilateral war," which implied that one side might claim all the rights of belligerents without conceding similar rights to the other side; and no doubt that doctrine would be urged if the question of recognition went to arbitration. It was a doctrine of rather a subtle nature, and only known to those who had given considerable attention to the subject of International Law; and it was one that was strongly urged by no less an authority than Bynkershoek, who supported it by forcible arguments. It was not clear, as some speakers had stated it, that the doctrine might not be urged successfully against us if the question were referred to arbitration.

Mr. SANDFORD felt indebted to the hon. Gentleman who had introduced this subject for having elicited from every Member who had spoken a desire of maintaining the friendliest relations between this country and the United States, and a readiness to do everything consistent with national honour. That feeling was shared, he was confident, by every Member of the House. The hon. Member for Bradford (Mr. W. E. Forster) had referred to the future. Now, he hoped that when we came to consider the future relations of maritime Powers, it would not be merely with a view to an agreement between England and the United States, but that a Congress of all the great maritime Powers would be called, so that the municipal law of each country might be modified in accordance with the principles which that Congress might determine. He should not have risen, but that it appeared to him that the hon. and learned Member who had brought this question forward (Mr. Shaw-Lefevre) did not seem to be aware of the grounds upon which the case on the part of the United States could be urged. The hon. Member seemed to think that the United States complained of the sending forth of the *Alabama* as a violation of International Law. Now, it was clear that any citizen who chose might send out an armed vessel for the South, just as another might send arms to the North, there being in each case the liability to capture as contraband of war. The only ground which they could take was either *malâ fides*, or a lax administration of the law. He presumed they would adopt the latter course. Had the *Alabama*, however, been seized on starting, it would have been a questionable act, and might have rendered the Government liable to damages; the opinion of no less an authority than Lord

Cairns being that such an act would be a straining of the law. It would only have been the case of the *Alexandra* over again. If, on the other hand, only municipal law had been violated, there arose the question, who were the best judges of our municipal law? Surely the Law Officers of the Crown. This was the principle laid down in the despatch of Lord Russell, which had been quoted, and adopted by the noble Lord the Member for King's Lynn when he came into office. He had no wish to find fault with the noble Lord's policy, because the noble Lord (Lord Stanley), he was sure, had been actuated by a sincere wish of maintaining friendly relations with the United States; but it seemed to him that he had assumed a heavy responsibility in admitting the principle of submitting to arbitration the question of a lax administration of municipal law by the Executive, for at some future time it might bring upon this country a serious liability. It would be in the memory of hon. Members that some years ago the Austrian Government called our attention to the fact that an extensive fabrication of Hungarian notes was going on in this country. The English Government took action upon the matter, but too late, and the notes went forth, and were employed for the purposes of the Hungarian rebellion. Now, on the noble Lord's principle, we might have been held responsible for the injury sustained by Austria through that rebellion. Whether the principle was right or wrong he would not say; but it was a perfectly new one in International Law, and might involve disagreeable consequences on some future occasion. Within the last few months he had met a great number of Americans, and they seemed animated with a good feeling towards England; but he had found that, though perfectly reasonable and moderate on every other subject, they became very excited the moment the *Alabama* claims were mentioned. This indicated a deep-seated feeling of injustice, the existence of which was much to be deplored, and he could not but think that, if a little time were allowed for feelings of irritation to subside, negotiations might be resumed in a calm spirit. Should they be resumed, he would offer a suggestion to the noble Lord with respect to the choice of a negotiator. He should not recommend any noble Lord, for he did not believe the Americans were such snobs and flunkies as they were sometimes supposed to be; indeed, he was sure they were not one-tenth part so guilty as ourselves. There was one man who, he thought, was especially suited to the post — a man whose name was a household word throughout the United States, as the staunch friend of that country—he referred to the hon. Member for Birmingham (Mr. John Bright). [*A laugh.*] The hon. Gentleman who laughed could not have properly considered the question, for what was the object to be sought in selecting a negotiator? Was it not that the negotiations might arrive at a speedy and successful termination? Well, who was so likely to bring that about — who was so likely to conciliate our opponents as the hon. Member for Birmingham? The suggestion might not find favour with some hon. Gentlemen on the opposite Bench, but he believed it would find great favour in the country. The appointment of one who had always shown a friendly spirit towards the United States would go far to remove the feeling of injustice under which the Americans now laboured, and he would be able, if any man were, to carry the negotiations to a satisfactory termination.

Mr. J. STUART MILL: I think, Sir, that no one can have listened to this debate without being ready to admit that it has elicited statements of a singularly gratifying and satisfactory nature, and it might have been hoped that we were approaching to a very great degree of unanimity upon the essentials of the question, had it not been for the two speeches of the hon. Gentlemen who have just preceded me, and who have revived points of International Law in connection with this dispute in a manner that would almost lead one to suppose they had not read very attentively the discussions which have previously taken place on the subject. I say this, with the more regret, because no fault can be found with the tone or feeling of either of those hon. Gentlemen; and in the case of the hon. Gentleman opposite (Mr. Sandford) an amount of good feeling towards America has been displayed which may perhaps surprise some who sit on this side of the House, but which does not surprise me. It seems to me that, in reviving these questions, those hon. Gentlemen have ignored the distinction which has been the fundamental and grand point on which the discussion has turned—I allude to the broad distinction which writers on International Law recognize between trade in contraband of war, and the use of a neutral country as a base of military and naval operations. It is true, and has not been denied, that a ship-of-war might be exported from England to one of two belligerents with no more objection or violation of International Law than there would be in the case of exporting military stores; but in that case there was this condition —that the ship ought to go direct to the port of the belligerent for whom she is intended, without any intermediate hostile operations, and thence might go forth to carry devastation and destruction among the ships and commerce of the other belligerent. But what has been done in the case of the *Alabama* was very different from this. An emissary was sent by the Confederate States to make arrangements for the fitting out in this country of a naval expedition to levy war against the commerce of the North. The hon. and learned Member for Dundalk (Sir George Bowyer) appeared to think that that would be fair if both parties were allowed to be equally benefited; but practically both parties never can be equally benefited, for although the liberty may ostensibly be the same to each, the fact generally is that only one party needs it, and is benefited, while the other is not benefited. Again, if a neutral country allows its territory to be made the basis from which a hostile expedition can be fitted out, it permits this to be done in a place which the opposite party is not permitted to go to for the purpose of obstructing the operation. Suppose the *Alabama* had been fitted out in a Confederate port, it would have been in the power of the North, on receiving intelligence of this being the case, to have cut the vessel out of the harbour, or intercepted its departure, or to have bombarded and destroyed the dockyard in which it was under construction. But they could not do that in a neutral country, and consequently such a country, in permitting such a proceeding, would voluntarily have committed a breach of neutrality, by giving the benefit of its protection to a portion of the naval force of one belligerent against the other. As to the question whether this country can be required by a foreign country to enforce its own municipal laws, the hon. Member for Maldon (Mr. Sandford) has gone so far as to attach blame to the noble Lord the Secretary for Foreign Affairs for allowing that question to be referred to an arbitrator. But I apprehend the noble Lord has assented to nothing of the kind. The question is not whether we have permitted a violation of our municipal law—with which foreign countries have nothing to do; the question is, whether foreign countries have a right to require of us the fulfilment of our international duties? It is on the ground of international duty, and on that ground only, that they can bring any complaint against us. The question is simply this—are we bound by International Law to prevent certain things from being done, and being so bound, did we do all we could to fulfil that duty? It may have been that we were under obligations to make fresh municipal laws if those in existence were not sufficient to enable us to fulfil our international duties. Without going any further into this question of International Law, I congratulate the House and the country on the fact, now so obvious, that the point at issue is an extremely small one. But if a very small point prevents the settlement of a very great question, the smaller that point the greater the reason for lamentation, and possibly for blame. I do not think there is much room in the present case for blame in any quarter, because this discussion, as well as the correspondence—and especially this discussion—has brought out evidence that the two parties to the correspondence have not thoroughly understood one another. The noble Lord (Lord Stanley) has not thoroughly understood what the United States demanded; and, on the other hand, the United States Government has not thoroughly understood what the noble Lord refused. I apprehend that the United States have never demanded that the question whether we were premature in recognizing the belligerent rights of the Confederates, should be referred to the arbitrator. I do not think they have ever claimed that, or possibly could claim it, because they have never maintained that our recognition, even if premature, was a violation of International Law. I have seen it admitted again and again in strongly written statements of American writers, and even, I believe, in the writings of Mr. Seward himself, that our recognition of belligerent rights was a thing about the time of which we had by International Law a right to decide for ourselves. It was urged that what we did was unfriendly, precipitate, and even unprecedented in its precipitation; but I am not aware that it has ever been contended that by our act, unfriendly, precipitate, and unprecedented though it might have been, we committed any violation of International Law for which we owed them reparation. It has been observed by my hon. Friend the Member for Reading (Mr. Shaw-Lefevre), in his very able and conclusive speech, and it has also been repeated in the very valuable remarks of my hon. Friend the Member for Bradford (Mr. W. E. Forster), that what the Americans claim is that they should be allowed to use this early recognition as an argument to convince the arbitrator that the depredations of the *Alabama* would probably not have taken place at all, or not to so great an extent, if it had not been for this unfriendly act on our part. They contend that, inasmuch as they have a right to reparation on different grounds, they have a right to show that this conduct on our part has made the evil worse than it would otherwise have been. Whether this would be a good argument or not I will not say; but if it is a relevant one, they ought to be allowed to use it; and, if it is not relevant, why should you stipulate for its exclusion? If you are to stipulate for the exclusion of every frivolous or irrelevant argument, I fear that you will have a very long list of such stipulations. Surely anyone who is competent to arbitrate between two great States is competent to decide also what are relevant and what are frivolous arguments. I cannot help thinking that no impartial person would have any difficulty in allowing either side full liberty to introduce what argument it pleased, and that we might safely allow him to listen to this or to anything else that might be urged in aggravation of the claim against us for damages. Would it be worth while to exclude one fallacious argument when we cannot exclude all? We must leave some latitude, limited only by the check which the good sense and forbearance of the disputants on either side would impose upon them. The United States might stipulate on their part that we should not use irrelevant arguments, but they have not done so. This, however, is only a part of the case; and perhaps I should not have risen if I had not wished to say how cordially I welcome those hints which have been thrown out by the noble Lord (Lord Stanley), and the observations which have been made by my hon. Friend (Mr. W. E. Forster) as to the possibility of our settling this question in some other way than by arbitration. Indeed, I do not very clearly see what arbitration is specially required for. The case is this—I believe there are few in this country now, and but for the last two speakers, I might have said I should hope there were none in this House—whatever might have been the case formerly—who were disposed to deny that we owed reparation of some sort, or in some degree, to the United States—it is quite clear that the noble Lord thinks so—and therefore this is not a case where we want arbitration. If we owe anything we must pay it, and what we want is some one to say, not whether we ought to pay, but how much. This would be best decided, not by an arbitrator, but by a mixed Commission. The principal duty which this mixed Commission would have to discharge would be to investigate each particular claim, and to say what might be rejected altogether, and what had nothing particular to do with the depredations of the *Alabama.* It would have in fact to ascertain the real damage which the commerce of the United States had received from this act of negligence on our part in letting the *Alabama* leave our ports. I cannot but think that there is a great increase of good and friendly feeling on both sides. The noble Lord admits that the Americans are coming to more reasonable views, and with the great change of opinion which has taken place in this country I venture to think that there are now few people who do not believe that the arbitrator would decide against us, and that it would be extremely for the interests of the country that he should so decide. In this state of things if some person—I will not say my hon. Friend the Member for Birmingham (Mr. Bright), but if any person not unacceptable to the Americans, were sent to them, and negotiations re-opened, if those negotiations began with an admission that we owed them reparation, and that the object was merely to ascertain what was the amount that was reasonably due from us, I cannot believe that there would be any serious difficulty in arriving at a settlement without going beyond the two disputants. I most earnestly hope that something of this sort was intended in the hint which Mr. Seward has thrown out. It is, besides, not unworthy of consideration, that the grand point is the settlement of what is to be henceforth the law of nations; and that question is settled, so far as we are concerned, the moment we admit that reparation is due from us. If we admit that we owe reparation for the depredations which the *Alabama,* without any bad intention on our part, was enabled to commit, then I apprehend that a question of International Law which was much disputed, and which may again be the subject of quarrel, will, so far as this country and the United States are concerned, be for ever settled.

Mr. GLADSTONE: Sir, the observations which I have to make are very few, and they will be strictly confined to the points before the House. I cannot, however, allow the debate to close without expressing my obligations to my hon. Friend the Member for Reading (Mr. Shaw-Lefevre) for the very temperate and able manner in which he brought this subject before the House. I am bound, also, to express my obligations to the noble Lord the Secretary of State for Foreign Affairs on account of the statement which he made, and the spirit in which the whole of that statement was conceived. That was a spirit of the most thorough equity, both to those who preceded him in office, and to those with whom he has come in contact during these very difficult negotiations. In referring to the proceedings of Earl Russell he fairly stated the difference made by time and circumstances in the nature of the very same proposal and in the way of handling it, when it proceeds from the very same parties. Bearing that in mind, I think I may admit that the noble Lord, when he determined to make his proposal for arbitration, exercised a wise discretion, and, without in any degree compromising the honour of this country, took a step that was likely to lead to the termination of a difficulty of a very serious character. I listened with great respect to the speech of my hon. Friend who has just sat down, and there was one very material portion of that speech in which I concur. I am not able to understand from the Papers before the House on what precise point it was that the negotiations came to a close. My hon. Friend, however, put his construction upon the expressions used by Mr. Seward in declining to waive his title to bring a certain question before the arbitrator. That construction is entirely different from the construction of the noble Lord. I must own that in reading these Papers—having no other sources of information open to me than those which are open to my hon. Friend—I am not able to decide what was really the meaning of Mr. Seward, and in what manner he intended to treat the question of belligerent rights when it should come before the arbitrator. If he intended to obtain the judgment of the arbitrator upon the question, whether we were justified in our recognition of the belligerent rights of the South, then that is one aspect of the case. But if Mr. Seward intended to treat it as a matter of collateral illustration, and to show incidentally the mischief which resulted to the United States as a consequence of that act, or to show that we were not sufficiently alive to our duty as neutrals, then the question would assume quite a different aspect. I own that if the effect of the speech of the noble Lord had been to leave us without any prospect of the practical resumption of the negotiations, I should have regarded with very great pain and regret what appears to me to be an ambiguity quite beyond any power of solution by us. My hon. Friend who has just sat down may be right in the construction which he puts upon the words of Mr. Seward. If we look narrowly at the words of Mr. Seward in his letter of the 29th of November, 1867, we find that all he refuses is to waive by a preliminary admission his title to contend before the arbitrator that the Queen's proclamation was not justified. I think I may proceed with safety so far as to congratulate the noble Lord on the effect which he evidently had produced on the mind of Mr. Seward between the date at which Mr. Seward first proposed to refer the whole controversy as it originally stood in the Papers, and the date at which he made the comparatively limited claim that he should not be required by a preliminary admission to waive his contention before the arbitrator that the matter of the Queen's proclamation is relevant to the main issue. I am bound, however, to say that, in one opinion expressed by my hon. Friend who has just spoken, I am not able to concur, and I notice it simply because it is not desirable that a misunderstanding should exist on a point of fact. I understood my hon. Friend to say that he thought there were no—or at least but few—Members of this House who would hesitate to admit that reparation, in some form or other, is due from us to the United States in the matter of the *Alabama*; and he treated the speech of the noble Lord as having conveyed on the part of the noble Lord the admission that, although we might go before the arbitrator, it would be with the expectation that the arbitration would be against us. I confess, Sir, that, whether rightly or wrongly, I did not so understand the speech of the noble Lord. But whether I understood rightly or wrongly the noble Lord's speech, I must frankly own that, although I shall be thoroughly satisfied if this question can be brought before the judgment of a tribunal more impartial than our own, yet I certainly am not prepared to make the admission which my hon. Friend thinks will universally and without question be made,—that reparation is due from us to America in the matter of the *Alabama.* The question of whether any what may fairly be called *laches* can be charged against us in the case I take to be the very question which is to be referred. But, undoubtedly, if we are all of opinion, or if the great majority of us are of opinion, that the arbitrator is to decide against us, the meaning of that is that we are of opinion we have committed an international wrong; and if we have committed such a wrong, then we ought not to go before the arbitrator at all, but we should by our own vote and by our own action tender reparation. I do not at all wonder that the Government of the United States should feel that they have ground for complaint in the case of the *Alabama.* But on the other hand, I confess it appears to me than when we go before an arbitrator—if we do go before him—we may do so with a perfectly good and clear conscience, prepared to contend that if any failure or miscarriage has occurred—and some failure or miscarriage did occur—it was a failure or miscarriage of such a nature as is necessarily incidental to all administration of laws by human hands, and that we may very fairly and with perfect honour abide the issue, whatever it may be. I confess, also, that I am afraid—if I rightly understood my hon. Friend — that he was rather sanguine in his assumption that by admitting the claim of the United States to compensation for the damage inflicted by the *Alabama* we should *ipso facto* secure the settlement of these difficult and controverted questions of International Law for the future. I own it seems to me that if any such general settlement is to be had, in the first place it cannot be had through the mere reference of any disputed question arising between England and the United States, and confined to them alone. A great question of International Law no authority can suffice to rule without the concurrence of all the Powers, or, at any rate, all the principal, and especially all the important maritime, Powers of the world. Therefore I think we must be very careful lest we should assume the matter which is in the hands of the noble Lord to be one admitting of easier settlement than it will really be found to be. What is in truth the construction to be put upon these letters is a matter which we could not now critically pursue, even had we less confidence in the judgment and the intentions of the noble Lord than I am happy to admit is the case. This, at least, I think I am perfectly safe in saying that we were all glad to hear the closing sentences of the noble Lord's speech. From those closing sentences I infer that although this correspondence may have dropped in the special and particular form in which it appears before us, yet the friendly and amicable prosecution of the question has not dropped at all, and that there is now in the hands of Her Majesty's Government a communication from the Government of the United States, which communication is likely to be developed and pass into its further stages, and which will be, or, at least, may be effectual, as far as we can judge from the manner in which it has been begun, for the settlement of this question. Sir, if that is so, I can only say I think that while, on the one hand, we have every reason to believe that the honour and the interests of this country will be safe in the keeping of the noble Lord, the noble Lord on his part may rest perfectly assured that there will be in every part of this House, as well as among every class of the people, a disposition to strengthen his hands as far as may be in our power, and to encourage him in the prosecution of a difficult, an arduous, yet a most honourable task—namely, that of bringing to an amicable conclusion a controversy which, if unfortunately it took an unfavourable turn, would lead to consequences too disastrous to be dwelt upon for a moment. I can therefore with satisfaction only repeat the acknowledgment to the noble Lord personally for the fair manner in which he treated this question with respect to his predecessors, as well as to those with whom he is in communication, with which I commenced the few remarks that I have made.

Amendment, by leave, *withdrawn.*

REPRESENTATION OF THE PEOPLE (IRELAND) BILL.—QUESTION.

MR. CHICHESTER FORTESCUE said, he would beg to put a Question to the noble Lord the Chief Secretary for Ireland, on the subject of the contemplated

Irish Reform Bill. The noble Lord had placed on the Paper for Monday next a Notice of his intention to move on that night for leave to bring in the Bill. He had heard that the noble Lord did not mean to introduce that measure on Monday, and he also found that the Government had fixed the second reading of the Scotch Reform Bill for that night. He believed, however, that the Scotch Reform Bill would occupy but a small portion of Monday's sitting, and therefore he trusted that the noble Lord the Chief Secretary would adhere to his original intention, and enable them to know on Monday at latest what the provisions of the Reform Bill for Ireland were. The discussion on the introduction of the Bill was not likely to take up much time. He had himself no intention to go into the subject at any length, and he thought he could answer for hon. Gentlemen on that side of the House that the discussion would not be long. But after the Bill had been brought in a considerable interval must elapse before its next stage could be taken, in order to allow the House and the people of Ireland to become properly acquainted with its provisions. It was, therefore, all the more necessary that the Bill should be laid on the table with the least possible delay. The right hon. Gentleman at the head of the Government had told them that on Tuesday next the noble Lord the Chief Secretary would disclose the general policy of the Government on Irish affairs. But Parliamentary Reform was one important branch of that Irish policy on which the House desired to be informed; and surely that part of the policy of the Government could be most advantageously announced on Monday on the introduction of the Irish Reform Bill itself, instead of being left to form a portion of the general statement to be made by the noble Lord on Tuesday, when the hon. Member for Cork (Mr. Maguire) was to call attention to the affairs of Ireland. He hoped his noble Friend — acting as he (Mr. Chichester Fortescue) knew he would desire to do in conformity with the feelings and wishes of the Members for Ireland on that side of the House—would adhere to his original intention; but if, unfortunately, that could not be done, then that he would inform the House on what day the Bill would be introduced?

Mr. DISRAELI: Sir, as I am responsible for the conduct of the business of the House as far as any measure proposed by the Government is concerned, perhaps the right hon. Gentleman (Mr. C. Fortescue) will permit me to reply to his Question. I must say that although I am most anxious at all times not to make any assumption which the House might not think justified, I do not think I am unreasonable in asking that as long as I am sitting on this Bench, I may be permitted to regulate the conduct of business in that manner which I believe to be most conducive to the public interest. I can assure the House that there is not the slightest wish on our part to postpone the introduction of the Irish Reform Bill, and the right hon. Gentleman has placed the matter in an invidious light before the House when he seemed to intimate that we were avoiding an engagement we had entered into by not bringing forward the Irish Reform Bill on next Monday. The fact is that the arrangement to which the right hon. Gentleman referred was made under circumstances very different from those in which we now find ourselves. It was always understood, that in any case, the Scotch Reform Bill was to take precedence of the Irish measure; and although it is quite true that Monday next was fixed for the introduction of the Irish Reform Bill, it was because we contemplated at the time that we should have had an earlier opportunity of bringing forward the Scotch Reform Bill and other important measures. The right hon. Gentleman informs us that there will be no opposition to the second reading of the Scotch Reform Bill. He has, of course, advantages in the way of obtaining information which I do not possess; but I must say that I have had many representations made to me that there never yet has been an opportunity afforded for the adequate discussion of the principles upon which a Scotch Reform Bill ought to be based. I shall be very glad, however, if there should be no discussion on the second reading, but I have had to make my arrangements entirely in ignorance of any such intention. On Monday, then, the Scotch Reform Bill is to be brought forward, and, as at present advised, we are prepared for a discussion not very brief, and one which will demand our utmost attention. There are, besides, several other measures of very great importance connected with Scotland to come on for discussion on that night, and I am inclined to think that it would not be desirable that the Irish Reform Bill should be brought on at the fag end of an evening; or that there should be any uncertainty whether the public business would permit it to be introduced within the time usual for the introduction of measures of such importance—at such a time as would enable Members desirous of discussing its provisions to express their opinions. My wish is that the Irish Reform Bill should be introduced, if convenient, as soon as the opinions of the House on the Scotch Reform Bill shall have been given. With regard to the debate upon the condition of Ireland which is to take place on Tuesday next on the Motion of the hon. Member for Cork (Mr. Maguire), it is quite posssible that it may last some days—and I hope that the question, when brought forward, will be amply discussed—but it will probably not be prolonged over the week, though the Government will give every facility for its progress. I think, therefore, we have every reason for believing that on Monday week the Irish Reform Bill may be brought in—unless circumstances occur which I do not now contemplate. The right hon. Gentleman says that we cannot enter into a discussion upon the general condition of Ireland without first knowing the nature of the Irish Reform Bill. I confess I cannot see the force of that argument. There cannot be any great difficulty among sensible gentlemen in forming an opinion as to the principles of the Irish Reform Bill. That measure must in its general character follow the principles already sanctioned by the House in the Bill for England and the one for Scotland which stands for the second reading. Any differences which may arise must relate to mere matters of detail, which it would not be well to introduce into the general discussion of the condition of Ireland. The arrangement of business which I have made is, I really believe for the convenience of the House. Therefore, Sir, we propose to proceed on Monday with the Scotch Reform Bill and the other measures that are on the Paper, several of which are of very considerable importance, and I think that there is every prospect—indeed, I take it for granted myself—that on Monday week the Irish Reform Bill will be brought in.

MR. GLADSTONE: The right hon. Gentleman claims for himself the right, which I entirely admit, of distributing the business of the House in the way which he deems most conducive to the public interest and the convenience of Members. But at the same time, all the proceedings of the Government are fair matter for the judgment of Members of this House, and it is their right and duty to give their opinions upon the question of the arrangement of business as well as upon other subjects. I think the right hon. Gentleman has really not apprehended the point of my right hon. Friend's (Mr. C. Fortescue's) remarks, which were directed not to any general considerations connected with the arrangement of the business of the House, but to the particular position in which we have been placed by the voluntary and spontaneous declaration of the Government itself. Her Majesty's Government, upon one or more than one occasion, when questioned with regard to subjects of great importance to Ireland, announced that they would produce in a connected form a statement of their policy with regard to that country when the Motion of my hon. Friend the Member for Cork should come on. And now arises the question, how are they to state their policy, so far as regards one vital and essential branch of it, or how can hon. Members criticize it until they are informed of the propositions of the Government on the question of the Irish Reform Bill? Her Majesty's Government themselves spontaneously fixed Monday, the 9th of March—and in passing I must own I think it a very late day—for the introduction of the Irish Reform Bill, and now we are to have that Bill postponed until the 16th of March. In the meantime, before the 16th of March, the right hon. Gentleman proposes that we shall hear a statement of the Irish policy of the Government, which will include no reference to Reform and no explanation of the provisions of their Bill, and then, after we have considered their Irish policy as a whole, we shall subsequently learn what they intend to do with regard to the Reform of the Irish Representation. The right hon. Gentleman says, that with respect to Irish Reform, we are already in possession of the general character of their Bill—that it will be like the measures for England and Scotland. Well, but if the Irish Reform Bill is a measure of which the main provisions are, as it were, stereotyped already in those proposed for England and Scotland, what difficulty can there be in laying it on the table on the day originally fixed? The right hon. Gentleman says that he must have a whole night for the purpose—that he must give a full and ample opportunity to Gentlemen to declare their opinions of the provisions of the Bill. But why is all this time to be taken up on the very first stage if we are already virtually in possession of its general character? Now it appears to me that the right hon. Gentleman is in a dilemma. When the right hon. Gentleman wants to show that ample time must be allowed for the discussion on the introduction of the Bill, he speaks of it in a manner that must lead the House to suppose that it involved propositions of magnitude and difficulty; but, on the other hand, when he wants to show that the House could discuss the Irish policy of the Government without any knowledge of the provisions of the Bill, then he argues as if nothing but the details of the scheme would require consideration. Now, I put it to the right hon. Gentleman and the House that the question of Parliamentary Reform is a vital portion of the policy which is to be pursued towards Ireland at the present moment. We have heard a formidable demand for the establishment of Irish nationality—that nationality to be incorporated and expressed through a separate Legislature. On the other hand, we have always been accustomed to encourage our Irish fellow-subjects to present their grievances to this House, and to trust to the efficacy of their representative institutions to remedy them. Now, if that be so, the question will naturally arise at the present crisis, what are to be the future character and efficiency of those representative institutions—for they are admitted to be very imperfect at present? We are going, if we can, to develope them further, to put them in such a state that we can boldly call upon our Irish fellow-subjects to trust them. Therefore, at the very root of Irish policy lies the question of Reform. It appears to me, then, that the right hon. Gentlemen will exercise a very unfortunate discretion indeed if he does not accede to the request of my right hon. Friend, and bring in the Irish Reform Bill on Monday night. I am well aware that we are in his hands. The House has no choice but to submit. It is impossible to force the noble Lord (the Earl of Mayo) to bring forward the measure if he does not choose. One man may lead a horse to the water, but twenty men cannot make him drink. But if the noble Lord will not bring in the Bill on Monday, he ought, at all events, to inform the House in his statement on Tuesday, what are to be the general outlines of the measure. In acceding to the desire of the Government I make the reciprocal claim, which is founded on justice and good sense, that they shall acquaint us with the general character of the provisions they propose to embody in the Irish Reform Bill. The right hon. Gentleman says that he has not been apprised that there will be no lengthened discussion on the Scotch Reform Bill. As far as I am aware of the intentions of hon. Gentlemen on this side of the House, I may say that it is highly improbable that any lengthened debate will take place. Of course, if it were found that there would be no time on Monday night for the introduction of the Irish Reform Bill, after the second reading of the Scotch Bill was disposed of, the Government could not be blamed. I would not attempt to interfere with the discretion of the right hon. Gentleman, but I put this point for his consideration, that the Irish Reform Bill is a measure forming an essential element of any policy to be pursued by any Government towards Ireland at this time; and that being so, we are entitled in reason and propriety—I will not say that decency also requires it—to be informed of the leading outlines of that measure before we proceed to the discussion which will arise on the Motion of the hon. Member for Cork.

Mr. COGAN said, he must express his regret, as an Irish representative, at the course which the Government had announced their determination to pursue. He, with many others, had shared the hope when a new Administration, with the right hon. Member for Buckinghamshire at its head, was formed, that some bold and comprehensive policy would be sketched out for Ireland; but the course taken with respect to Parliamentary Reform for Ireland was not calculated to inspire confidence, and might give rise to the impression that the Government deferred the introduction of the Bill because they did not wish to show their hand. He could not see on what other possible grounds the Government objected to lay the Irish Reform Bill on the table, and have it circulated through the country, or why Parliamentary Reform should be completed for England, and the Scotch Reform Bill should be read the second time before the Irish measure was even introduced. Formerly the custom was that two such measures should be introduced contemporaneously, and he regretted the slight that had been put on Ireland by the precedency accorded to the Scotch measure. He could confirm the statement that it was not intended by the Scotch Members to have a lengthened discussion on the second reading of the Scotch Reform Bill. The chief discussion would take place on its next stage on the Motion to be made by the hon. Member for Montrose (Mr. Baxter) respecting the re-distribution of seats in Scotland. Therefore the likelihood of a lengthened discussion on the Scotch Bill could not prevent the Government from laying the Irish Reform Bill on the table. Perhaps, as a compromise, the Government would undertake conditionally—if the debate on the Scotch measure did not last longer than nine or ten o'clock—to bring in the Irish Reform Bill on the same night. If the Government really intended to complete the measure of Reform this Session—which the House ought to insist on—they must not hesitate to pursue this course The Irish Members had a painful recollection of the many promises made and not fulfilled last Session with regard to Parliamentary Reform for Ireland, and he hoped that the same course would not be pursued in the present Session. They could not ignore this fact, that the political organs of the Government in Ireland were calling on the Government not to introduce an Irish Reform Bill on account of the exceptional state of circumstances in that country, and that it was the wish of a number of the leading Conservatives in Ireland that no Irish Reform Bill should be introduced. Under these circumstances, the conduct of the Government should be above suspicion ; and they ought not to postpone the introduction of the Irish Reform Bill from week to week so as to render it very possible that the measure would not be carried during the present Session.

THE EARL OF MAYO said, he wished to point out that when the proposal was first made that the Scotch Reform Bill should be taken on a certain night, and that the Motion of the hon. Member for Cork should then come on, and that on the Monday afterwards the Irish Reform Bill should be introduced, no objection was taken to the proposal. The Government thought that arrangement the best on the whole, and had not departed from it in any way. The general debate on Ireland being concluded on Thursday or Friday, the Government would then be prepared on the following Monday or on the earliest day to introduce the Irish Reform Bill. The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) laid great stress on the necessity in discussing the policy of the Government towards Ireland of being informed of the leading outlines of the Irish Reform Bill; but surely it was sufficient to know that the Irish Bill would bear a considerable likeness to the Bill passed for England, and to that introduced for Scotland. There would be ample topics for the consideration of the House in the main question, and he thought the debate would only be embarrassed by the introduction of the details of the Reform Bill. On the whole, the Government were of opinion that it was better to adhere to the original arrangement. He could assure the House that the Government would introduce the Irish Reform Bill at the earliest moment—either on Monday week, or on the first available night after the debate on the general state of Ireland.

MR. O'BEIRNE said, he must regret the course that had been adopted by the Government. Last Session, the Irish Reform Bill had been kept dangling before the eyes of Members, to be ultimately withdrawn. The same tactics appeared to be now repeated. It was felt—rightly or wrongly — that a pressure was put upon the Government. He thought it was somewhat too hard that the introduction of the Irish Reform Bill should be postponed to allow not only the Scotch Reform Bill to be debated on Monday next, but several other measures besides. It was for the right hon. Gentleman at the head of the Government to take on himself the responsibility which such a course carried with it; but he (Mr. O'Beirne) was convinced that the feeling now prevailing in Ireland—which was by no means of a desirable character—would not be allayed by the course announced that evening by the Government.

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Commitee *deferred* till *Monday* next.

COUNTY FINANCIAL BOARDS (No.1.) BILL.

LEAVE. FIRST READING.

SIR WILLIAM GALLWEY said, he begged to move for leave to bring in a Bill to establish County Financial Boards for the assessing of County Rates, and for the administration of County expenditure in England and Wales. He proposed to postpone debate on this question till his Bill was printed, and in the hands of hon. Members. The principal object of his Bill was to provide that there should be local representation wherever there was local taxation. He thought the absence of such a principle was a great anomaly, and contrary to the spirit of the Constitution. He had been told, indeed, that his Bill was unnecessary, because the legislation of this House, within the last few years, had fixed the County taxation beyond the power of any Board to alter. He did not think this was the case altogether; but, even if it were, it did not affect the constitutional question, that taxation should be accompanied by representation. The Bill was intended to render possible what had been suggested by other legislation on the same subject — namely, that the Board should exercise control over finance without interfering with the judicial character of the Bench. A Board elected on his plan would consist partly of members elected by the Boards of Guardians and partly of Justices of the Peace.

Bill to establish County Financial Boards, *ordered* to be brought in by Sir WILLIAM GALLWEY and Mr. HARTLEY.

Bill *presented,* and read the first time. [Bill 51.]

ARMY (INDIA AND THE COLONIES).

Select Committee *appointed,* "to inquire into the duties performed by the British Army in India and the Colonies, and also how far it might be desirable to employ certain portions of Her Majesty's Native Indian Army in our Colonial and Military dependencies, or to organize a force of Asiatic Troops for general service in suitable climates."—(*Major Anson.*)

And, on March 19, Committee *nominated* as follows:—Major ANSON, Viscount CRANBORNE, Mr. CHILDERS, Sir JAMES FERGUSSON, The Marquess of HARTINGTON, Mr. HAYTER, Sir HENRY RAWLINSON, Sir WILLIAM RUSSELL, Captain VIVIAN, Mr. LAING, Lord WILLIAM HAY, Major WALKER, Colonel NORTH, Sir HARRY VERNEY, and General PERCY.

COUNTY FINANCIAL BOARDS (NO. 2) BILL.

On Motion of Mr. WYLD, Bill to establish County Financial Boards, and for the assessing of County Rates, and for the administration of County Expenditure for England and Wales, *ordered* to be brought in by Mr. WYLD and Mr. HODGKINSON.

Bill *presented,* and read the first time. [Bill 52.]

DIVORCE AND MATRIMONIAL CAUSES COURT BILL.

On Motion of Mr. CHARLES FORSTER, Bill to amend the Law relating to Appeals from the Court of Divorce and Matrimonial Causes in England, *ordered* to be brought in by Mr. CHARLES FORSTER, Mr. HEADLAM, and Mr. KARSLAKE.

Bill *presented,* and read the first time. [Bill 50.]

House adjourned at a quarter before
Nine o'clock till Monday next.

HOUSE OF LORDS,

Monday, March 9, 1868.

MINUTES.]—PUBLIC BILLS—*First Reading*—Bankruptcy Acts Repeal * (30); Bankruptcy * (31); Judgment Debtors * (32); Ecclesiastical Commissioners' Orders in Council (33); Regulation of Railways * (34).

Committee — Public Departments (Extra Receipts) * (25); Registration of Writs (Scotland) * (15).

Report—Public Departments (Extra Receipts) * (25); Registration of Writs (Scotland) * (15).

ECCLESIASTICAL COMMISSIONERS' ORDERS IN COUNCIL BILL [H.L.]

PRESENTED. FIRST READING.

THE LORD CHANCELLOR said, he had to present to their Lordships a measure for the purpose of declaring valid certain Orders of Her Majesty in Council, relating to the Ecclesiastical Commissioners of England, and the Deans and Chapters of certain churches. The object of the Bill was simply this. It appeared that during the last fifteen years various Orders in Council relating to capitular property had been submitted by the Ecclesiastical Commissioners for the approval of Her Majesty in Council; and had been approved of. Sales under these Orders had been completed in the usual way, but very recently two further schemes of the same kind were presented for confirmation by Her Majesty in Council, and objection having been taken to them, the question was submitted to the Judicial Committee of the Privy Council. On the recommendation of the Judicial Committee, these schemes were disallowed by Her Majesty in Council, and the effect of that proceeding had been to cast a certain amount of doubt upon the validity of the previous Orders made by the Ecclesiastical Commissioners. Their Lordships would doubtless be of opinion that no doubt of that kind should be allowed to remain where a large amount of sales had taken place upon the faith of the validity of the Orders; and it was in order to remove these doubts that he now presented this Bill to their Lordships.

Motion *agreed to.*

A Bill for declaring valid certain Orders of Her Majesty in Council relating to the Ecclesiastical Commissioners for England and to the Deans and Chapters of certain Churches—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 33.)

RAILWAYS (IRELAND).

MOTION FOR AN ADDRESS.

THE MARQUESS OF CLANRICARDE, in moving for a Copy of the Instructions issued to the Commissioners appointed to inquire into the State and Value of the Railways of Ireland, said that the matter in question was to his mind of such vital importance that he thought their Lordships ought to be made acquainted with the Instructions upon which the Commissioners acted, and the point to which their inquiries were directed. He believed in his conscience that since the Union a more important measure, with the exception of Catholic Emancipation, was never taken in hand by the Government of the country. That Parliament should deal with the Irish railways was, in his opinion, absolutely necessary for the progress of Ireland; and not only was it absolutely necessary for material progress, but he felt convinced that the earnest consideration and the determination of the subject would have the greatest effect upon the whole feeling and disposition of the Irish towards the Government and towards people of this country. It should be known to their Lordships that in Ireland a conviction was entertained that in matters touching the prosperity, and especially the commercial progress of the country, there was not a sincere desire to promote the welfare of Ireland, but, on the contrary, a jealousy and a disposition to do nothing, except what was forced upon the Government of the day, and upon the Imperial Parliament. He was not going to argue the question, whether this feeling was rightly or wrongly entertained, he merely thought it proper to state it as a fact which could not be too deeply impressed on the minds of the Members of both Houses of Parliament. Under these circumstances, therefore, he thought himself justified in asking Her Majesty's Ministers to allow the House to know what were the Instructions under which the Commissioners were acting. He had no doubt that they were pursuing their inquiries into the financial position of the railways — their liabilities, debts, and the general condition of the property with admirable discretion and judgment, and that they would by-and-by form a very accurate estimate of the value of that property. He apprehended that they would not fail to inquire also into all such general agreements as working arrangements, but there were more secret engagements—at least they were secret in the first instance, though he believed in most cases they had come to light—which it was most desirable should be brought to the knowledge of Her Majesty's Ministers and of Parliament before any decision was arrived at as to the course which should be pursued, in treating with this question of railway accommodation. In Ireland the people, being far more feeble than here, suffered infinitely greater grievances from the monopoly of railway companies than were suffered in England. He did not complain of the fact that the large railway companies possessed a monopoly. When Parliament created those bodies they created monopolies from the very nature of the case. But what he said was this, that the result of establishing those great companies without any control was, that grievous loss was occasioned to the country, in proportion to the accommodation that railways afforded. Nothing could be more absurd than to talk as people did when they spoke of the English system of railway management, as compared with the system abroad, as one of free competition. There could be no such thing as free competition in such a case. He differed from the conclusion which had been come to by the Commissioners of 1866, that the competition between railways necessarily lowered the tolls and rates which would otherwise be imposed by canals for the carriage of goods. In Ireland, exactly the reverse had taken place, and it was a fact that goods were now carried across that country to some places at a higher rate than was charged before railways were established, and he was informed that in part of England the case was the same. For what happened? The railway monopolists combined for their own advantage, and the public had no check or control over them. For instance, in Ireland, the Great Southern and Western and the Great Midland, after a short competition, entered into a combination between themselves, and an agreement was come to by which the canals were to be bought up; but the voice of the nation cried out against that project, and it was given up. However, the railway companies came to an arrangement with the canals, and compelled them to charge a certain rate for the conveyance of goods upon their waters. Not only had they thus obtained possession of the canals, but, as was shown at a recent railway meeting, they had even taken possession of the navigation of the Shannon. In his opinion, therefore, it was right that

Parliament should know what were the secret agreements into which the railways had entered. In point of fact, partly through the effect of monopoly, partly through the operation of the Standing Orders of their Lordships' House, and partly in consequence of the system, or rather want of system, which prevailed with regard to railway accommodation throughout the Empire, the creation and extension of railways had come to an absolute stoppage in Ireland. The question of this monopoly ought to be inquired into by the Commissioners, and he hoped the House would soon know how the whole matter stood by the production of the Instructions which he now moved for. No matter what might be the necessities of the case, if their Lordships continued to act as they did at present, they would put an end to the making of any railway or even tramway, and the people of Ireland would throughout extensive districts be compelled to do without what was considered all over the world a primary necessary of civilized life. He hoped, then, that their Lordships would obtain full information as to the secret agreements entered into by the companies, and he begged to repeat his conviction that the people of Ireland were fully persuaded that the prosperity and progress of the country depended entirely upon the way in which this question was treated. He could assure their Lordships that it was his conviction, and the conviction of better authorities than himself, that there was no subject—for he would except none—which was of more vital importance to the quiet of the country and to the removal of discontent than the proper treatment of this question, and that was a feeling which prevailed, not only among the ignorant peasantry, as they were called, but among the middle classes and even the upper classes.

Moved, That an humble Address be presented to Her Majesty for, A Copy of the Instructions issued to the Commissioners appointed to inquire into the State and Value of the Railways of Ireland.—(*The Lord Somerhill.*)

THE DUKE OF RICHMOND said, he would refrain from following the noble Marquess into the general policy of railway administration in Ireland. The noble Marquess was aware that last year a very influential and numerous deputation, which he accompanied, waited upon Lord Derby to bring under his notice a statement in reference to the railways in Ireland, with a view to their being purchased by the State. Lord Derby took the subject into consideration; it was brought before the Cabinet, and a Committee of the Cabinet was appointed to look into it and report what measures ought to be adopted. It was found necessary, before any opinion could be formed as to whether it was wise to purchase the Irish railways, that their value should be thoroughly ascertained—the value of the rolling stock, the plant, and the state of the rails, and that all matters connected with the internal affairs of each company should be investigated before any decision could be arrived at. An Act of Parliament was passed to give the Commissioners power to investigate the accounts of the various companies. In accordance with that Act a Commission was issued. He did not think that the competition between the Companies or the various other matters to which the noble Marquess had alluded came within the terms of the Commission. If the noble Marquess was desirous of having a Return of the various working agreements between the companies, that might be furnished; but it would not be for the public advantage to lay on the table a copy of the Instructions which had been given to the Commissioners, inasmuch as he hoped the Report would be furnished shortly after Easter. That Report would not include the working agreements, but they might be added to it.

Motion (by Leave of the House) *withdrawn.*

NAVY—ROYAL DOCKYARDS.

MOTION FOR A RETURN.

THE DUKE OF SOMERSET, in moving for a Return of the Number of Tons of Iron Ballast sold from the Royal Dockyards since January, 1867, and the Amount of Money received for this Iron and paid into the Treasury, said he would state shortly his reasons for desiring this Return. It might be in the recollection of their Lordships that some time ago a statement was made that the iron ballast in the dockyards, which had been used largely for paving the yards, was of very great value, and that its use for paving purposes involved a great waste of public money. That remark did not apply in particular to the Board of Admiralty with which he was connected, but to the Boards which had existed for many years. When he first heard of this statement, some years ago, the Admiralty sent some of the ballast to certain iron manufacturers to be tried, and a small quantity was sold; but afterwards those persons declined to purchase any more, stating that it was not worth their while to do so, and no other purchaser could be found. However, the accusation against the Admiralty had since been repeated again and again, and at the commencement of last Session a Member of the House of Commons stated that he was prepared to produce a person who would give a very large sum, amounting to hundreds of thousands of pounds, for that ballast. The right hon. Baronet who was then First Lord of the Admiralty expressed his willingness to accept the offer, and said he should be too glad to dispose of it in this way. Now, a great many charges had been made at different times against the Admiralty management, some of them as to the cost of building ships, others as to the mode of classifying the accounts in the dockyards. Now, these were questions of a very complicated and difficult nature, upon which opinions might differ; but here was a clear issue. It was stated distinctly and definitively that the ballast was worth so much money, and that a purchaser could be produced, the offer was accepted, and he wished, therefore, to know how far the statement had been verified. A year had elapsed since it had been made, and the offer had been accepted. Last Session he did not move for any information on the subject, because he thought he would give ample time for verifying the statement. But now he thought it desirable to have a Return of the number of tons of iron ballast sold and the amount of money received for it. Their Lordships and the country would then, from the accuracy or otherwise of the statement made on this subject, be able to judge of the accuracy of statements made from the same quarter in regard to other Admiralty matters. If it was found that the statement made respecting this ballast was greatly exaggerated or wholly unfounded, they might well conclude that the hon. Member in the House of Commons had been rather carried away by his imagination, and it would not be unreasonable on the part of their Lordships and the public to withhold their confidence from other statements made against the Admiralty on other subjects.

Return of the Number of Tons of Iron Ballast sold from the Royal Dockyards since January 1867:—Amount of Money received for this Iron, and paid into Treasury.—(*The Duke of Somerset.*)

THE EARL OF MALMESBURY said, there was no objection to give the noble Duke the Returns for which he had asked, and they would be produced as soon as possible.

Return *ordered* to be laid before the House.

BANKRUPTCY ACTS REPEAL BILL [H.L.] A Bill to repeal Enactments relating to Bankruptcy and to Matters connected therewith: Also,

BANKRUPTCY BILL [H.L.] A Bill to amend the Law of Bankruptcy: And also,

JUDGMENT DEBTORS BILL [H.L.] A Bill to abolish Arrest on Final Process in Civil Actions in England, and otherwise to amend the Law relating to Judgments, Decrees, and Orders, and to Arrest — Were severally *presented* by The LORD CHANCELLOR; read 1ª. (Nos. 30, 31, 32.)

REGULATION OF RAILWAYS BILL [H.L.]

A Bill to amend the Law relating to Railways —Was *presented* by The Duke of RICHMOND; read 1ª. (No. 34.)

House adjourned at a quarter before
Six o'clock till To-morrow,
half-past Ten o'clock.

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HOUSE OF COMMONS,

Monday, March 9, 1868.

MINUTES.]—NEW MEMBER SWORN—Right Hon. George Ward Hunt, *for* Northampton County (Northern Division).

SELECT COMMITTEE—On Admiralty Monies and Accounts *nominated.*

PUBLIC BILLS — *Ordered* — Railways and Joint Stock Companies*; Oyster and Mussel Fisheries; Indian Railway Companies*; Land Writs Registration (Scotland); Titles to Land Consolidation (Scotland); Ecclesiastical Buildings and Glebes (Scotland).

First Reading—Railways and Joint Stock Companies* [53]; Oyster and Mussel Fisheries [54]; Indian Railway Companies* [55]; Land Writs Registration (Scotland) [56]; Titles to Land Consolidation (Scotland) [57]; Ecclesiastical Buildings and Glebes (Scotland) [58].

Second Reading — Fines and Fees (Ireland)* [35], *negatived;* Representation of the People (Scotland)* [29]; Metropolis Subways [41].

Committee—Sea Fisheries [42]—R.P.

Third Reading—Railways (Extension of Time)* [39], and *passed.*

ARMY—RETIREMENTS FROM THE ROYAL ARTILLERY, &c. — QUESTION.

MR. CHILDERS said, he would beg to ask the Secretary of State for War, Whether the Government have arrived at any decision on the recommendations of the Select Committee of last Session relative to retirements from the Royal Artillery, Royal Engineers, and Royal Marines?

SIR JOHN PAKINGTON, in reply, said, he was not then prepared to give a conclusive answer to the hon. Gentleman's Question. He had, however, given very careful consideration to the recommendations of the Committee, and he hoped shortly to be able to state to the House the decision of the Government upon them.

FENIANISM—THE ATTACK ON CLERKENWELL PRISON.—QUESTION.

MR. HARVEY LEWIS said, he would beg to ask the Secretary of State for the Home Department, Whether, as has been publicly stated, either the Government or the Chief Commissioner of Police had information, previously to the commission of the crime, of a design to blow up or otherwise attack Clerkenwell Prison; and, if so, whether there is any objection to state what precautionary or preventive measures were taken in consequence?

MR. GATHORNE HARDY replied, that he thought it very natural that the hon. Gentleman should wish for such information as it was in his (Mr. Gathorne Hardy's) power to give in reference to the lamentable occurrence at Clerkenwell. In answer to the first part of the Question he might state that on the 12th of December last a report was received at the Home Office at about twelve o'clock in the day or a little after, to the following effect. He would not give the name of the person who sent the report, because he did not think that would be advisable:—

> "December 11, 1867.
>
> "I have to report that I have just received information from a reliable source to the effect that the rescue of Richard Burke from prison in London is contemplated. The plan is to blow up the exercise walls by means of gunpowder; the hour between three and four p.m.; and the signal for 'all right,' a white ball thrown up outside when he is at exercise."

That information thus received, and coming as was thought from a source on which some reliance could be placed, Mr. Liddell, the Under-Secretary for the Home Department, immediately sent to the Chief Commissioner of Police. Sir Richard Mayne was not at the office at the time it arrived, but Captain Labalmondiere was there, and the report was at once put into his hands that he might see it. At the same time a letter was written by Mr. Liddell to Mr. Pownall, the Chairman of the Visiting Justices, and despatched by a messenger, and was delivered to that gentleman that afternoon. He (Mr. Gathorne Hardy) did not know whether he need go through the circumstances which had appeared generally in the newspapers, as to the promptitude with which Mr. Pownall acted; the careful precautionary measures he took in order, if the walls of the prison were injured, to prevent an attempt at escape by the prisoner Burke; the extra warders employed to afford additional protection, and the alterations made in the usual time and place of the exercising of the prisoners; so that, as far as Mr. Pownall was concerned—though he had not time to assemble the magistrates—action was taken with that care and promptitude which were calculated to prevent the success of any attempt at rescue. Captain Labalmondiere was at the Home Office between twelve and one o'clock, because the order which he wrote to the Superintendent of Police was dated 12.45, which showed that Captain Labalmondiere had then received the information in question. He would read to the House the instructions which Captain Labalmondiere gave on receipt of that report. They were handed to Superintendent Gernon, and before he left the Office the Chief Commissioner came in, when that document was handed to him and he gave instructions to Superintendent Gernon to the like effect, only they were more specific, stating the force of police which was to be used—

> "Superintendent Gernon—Acquaint the Governor of the House of Detention that information has been received of an intended rescue of the prisoner Burke, to be effected by blowing up the walls of the exercising ground during the hours he is at exercise. Have the external walls carefully examined to ascertain that there has been no attempt to mine, and arrange for strict observation to be kept on them.—12.45 p.m."

In his Report on the occurrence Sir Richard Mayne stated—

> "The police arrangements made by Superintendent Gernon, in pursuance of my directions, were to post a double patrol of two police-constables, and three police-constables were employed in plain clothes, all of whom were strictly instructed, together with section sergeants, to keep close observation on all persons loitering round the prison walls, and to give immediate information to the inspector on duty at King's Cross Station should anything suspicious arise. There were also five police-constables in uniform and three in plain clothes on duty round the prison walls."

At the same time Inspector Thompson was sent by Sir Richard Mayne to communicate with the Governor of the prison and tell him what they had heard, and that communication was made in the course of the afternoon of the 12th of December. Precautions were taken as to the protection of the walls outside; but those hon. Members who had not read the statements made by the witnesses might not be aware that at, a late period of the inquiry, it came out that on that very afternoon a cask of a similar description to the one that exploded on December 13th was seen by a woman in the neighbourhood of the prison walls, and that, as far as could be judged, an attempt was made to light it. If it had been lighted at that time, no doubt there would have been destruction of life, not only outside of but within the prison, for it was then the hour of prison exercise; and, further, about the time that the cask was seen there, a white indiarubber ball was thrown over the wall, which was picked up by one of the warders, who, having no idea of what it was for, kept it for his children. At the same time it was noticed that the prisoner Burke fell out of the ranks and went to a different part of the yard, apparently to take something out of his shoe. But the cask was taken away and did not cause any suspicion among the people living in the neighbourhood. He should mention that at the part of the wall which was broken down there was formerly a small wicket which had been bricked up, and when Captain Labalmondiere went back to the Police Office he inquired whether that wicket was there, because it was thought that gunpowder might be used to force it open; but it did not appear to have struck him or any one of the police employed that it would be used to blow down the wall, as was actually the case; for, although the information that had been received was communicated to the officers on the spot, the cask was placed close to the wall without anybody supposing that there was any cause to apprehend mischief from it. It appeared that that mode of carrying out the design of which they received information did not strike those who were set to watch the outside of the prison, because the policeman Moriarty walked along by the side of the wall when the cask was there, and nearly all his clothes were blown off in consequence of the explosion. What their attention was apparently directed to was the undermining of the wall; they thought it would probably be blown up from underneath, and had no conception that it would be blown down in the way it really was done.

THE BOUNDARY COMMISSION.

QUESTION.

Mr. DILLWYN said, he would beg to ask the Secretary of State for the Home Department, When the Report of the Boundary Commission, with or without the plans, will be issued to Members of the House of Commons; and, whether there would be any objection to issue it in parts, consisting of Counties and their respective Boroughs?

Mr. GATHORNE HARDY, in reply, said, he understood upon inquiry that the Report of the Boundary Commissioners would be in the hands of hon. Members to-morrow, and that a separate part would be devoted to each county, each part to be issued at one shilling. The delay had arisen in consequence of the large number of copies which had to be printed.

PUBLICATION OF THE ART CATALOGUE.

QUESTION.

Mr. DILLWYN said, he wished to ask the Vice President of the Committee of Council on Education, If it be true that the Publication of the Art Catalogue is still continued by the Department of Science and Art in *Notes and Queries* instead of in *The Times*; if there was not an understanding between the Vice President of the Committee of Council on Education and the House of Commons that this publication should be discontinued; and, if it be still the intention of the Department of Science and Art to persist in the formation of that Catalogue, what will be the ultimate cost of that undertaking, including in the estimate the payment of the whole staff employed in it; whether the persons so employed be supernumeraries or a portion of the usual staff at South Kensington?

Lord ROBERT MONTAGU, in reply, said, that the publication of the Art Catalogue was being continued in *Notes and Queries* instead of in *The Times.* The hon. Members for Swansea and Galway had last year objected to "advertising the Catalogue in *The Times*," as a reference to *Hansard* would show; while they evidently contemplated the continuance of the formation of the Catalogue. The formation of the Catalogue had been decided upon by Lord Granville, in 1864, and at various times in 1865 and 1866. In 1865-6, a vote of £500 was taken for that object; in 1866-7, a vote of £1,500; and in August, 1867, a vote of £2,500 was taken in the Estimates of 1867-8, for the Universal Art Catalogue, and other catalogues and inventories. Materials had now been collected for the formation of the whole Universal Art Catalogue. Several estimates of various modes of compiling it were laid before Parliament last year on the Motion of the hon. Member for Swansea. He believed that the total cost, including the payment of the whole staff employed on it, and leaving a margin for contingencies, would be £8,000, of which a large part had already been paid.

Mr. CHILDERS: Did I understand the noble Lord to say that Earl Granville first proposed the publication of such a Catalogue?

Lord ROBERT MONTAGU: He sanctioned it, first, in the year 1864.

UNITED STATES—CASE OF THE "LIZZIE LINA."—QUESTION.

Mr. P. A. TAYLOR said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any claim has been made upon Her Majesty's Government by the Government of the United States in respect of the alleged piratical, seizure in the Chesapeake River by British sailors during the Civil War in America, of a vessel now registered as a British vessel at the port of Kingston, in Jamaica, under the name of the *Lizzie Lina,* and formerly the *Happy go Lucky*, commanded by Lieutenant or Captain Edenborough; whether it is true that, in consequence of such a claim, the persons now in possession of the said vessel have been required by the Colonial Government of Jamaica to enter into sureties for her surrender in the event of her being declared American property; and, whether he will lay upon the table the Correspondence relating thereto?

Lord STANLEY, in reply, said, he had caused search to be made in the Foreign Office, through the Correspondence from 1861 to the present time, and could find no trace of any such transaction as the Question alluded to. At his request a similar investigation was made at the Colonial Office, and with a similar result.

NAVY—IRON BALLAST IN DOCKYARDS. QUESTION.

Mr. BAXTER said, he would beg to ask the First Lord of the Admiralty, Whether any part of the pig-iron ballast laid down or stored in the Dockyards, and sales of which were estimated to produce £100,000 during the present financial year as a Naval "extra receipt," has been sold; and, if so, how much, and at what price per ton; and how many tons are still stored or laid down in the Dockyards?

Mr. CORRY replied, that the Admiralty had been unremitting in their endeavours to realize the expectations held out last year as to the amount to be obtained from the sale of pig-iron ballast; but no offers which could be entertained had been made, except for small quantities for experimental purposes; and the sum paid into the Exchequer, in consequence of the sales, amounted to only £63. Possibly this result might be partly attributed to the depressed state of the iron trade. Perhaps the hon. Member would allow him to defer replying to the last Question till a more convenient season.

SEWAGE OBSTRUCTIONS IN THE RIVER.—QUESTION.

Lord EUSTACE CECIL said, he would beg to ask the Secretary of State for the Home Department, Whether it is true that complaints have been made to the Home Office, by the Thames Conservators, of the Navigation of the River, having become obstructed by the accumulation of sewage at Barking and Crossness; and, if so, what course he proposes to take in the matter?

Mr. GATHORNE HARDY, in reply, said, that complaints had been made to him, and that in consequence he had seen the Chairman of the Metropolitan Board of Works. He (Mr. Gathorne Hardy) had suggested the appointment of an arbitrator, to decide as to whether the Board of Works or the Thames Conservancy were bound to clear away the obstructions. The Thames Conservancy said that they had no funds to remove the sewage; and, on the other hand, the Metropolitan Board alleged that, having received powers from Parliament to use the outfalls at Barking and Crossness, they were not responsible for the accumulation. Further, they denied that the obstruction was caused by the sewage. It appeared that the Metropolitan Board had been advised by their counsel that arbitration would not be the proper course. He (Mr. Gathorne Hardy) considered that the only mode of proceeding would be by indictment.

CHARGES ON THE CONSOLIDATED ACCOUNT.—QUESTION.

Mr. THOMSON HANKEY said, he wished to ask the Secretary to the Treasury, Whether the Report of the Auditor General to the House of Commons, on the account of the charges on the Consolidated Account, has not been ordered to be printed; and, when the accounts of the Auditor General, ordered to be printed, will be delivered to Members?

Mr. SCLATER-BOOTH said, in reply, that the account to which the hon. Member alluded was ordered to be printed last week, and had been delivered to Members that morning. He hoped that the remainder of the accounts would be printed on Thursday. He did not propose to take the Excess Vote in Supply that night, but on Friday next.

METROPOLIS—THE ORNAMENTAL WATER IN REGENT'S PARK.

QUESTION.

Mr. HARVEY LEWIS said, he wished to ask the First Commissioner of Works, Whether he expects that the works now in progress in the basin of the Ornamental Water in the Regent's Park will be entirely completed before the summer; and, if he does not, then, whether he is confident that they will be so far completed as to prevent the offensive mud from causing danger to the health of the neighbourhood?

Lord JOHN MANNERS, in reply, said, he had every reason to believe that the works in progress would be completed before the commencement of summer. He had taken every precaution to prevent danger to the inhabitants or offensiveness to the neighbourhood.

ARMY—THE FORTIFICATIONS AT CHATHAM.—QUESTION.

Colonel SYKES said, he would beg to ask the Secretary of State for War, What truth there is in a recent statement in the public prints that one of the projected Fortifications at Chatham had sunk into the mud, or that the foundations had given way, and that some of the new Fortifications elsewhere had shown signs of instability; and, whether, considering the opinion expressed by the distinguished civil engineer Mr. Thomas Hawksley, on the 26th of August, 1866, that—

> "Many endeavours had been made and much money, reckoned by millions, had been expended, I will not say wastefully or unworthily, but certainly uselessly, in endeavours to secure our coasts against the attacks of a foreign enemy."

And whether, considering the statement under the head "Naval and Military Intelligence," in *The Times* of November 3, 1866, that—

> "We have certainly as a rule been unfortunate in our military engineering, and especially in carrying out the plans for the defence of our coast line; that some forts have been built on swampy land, so unstable and treacherous that keep and magazine have cracked through, and their earthen ramparts have slid from their base."

To ask, therefore, whether, considering the above public statements, before a further application for money is made to the House, the Secretary of State for War will lay upon the table a Report in detail of the present condition of the Fortifications enumerated in the Parliamentary Return, No. 157, of March, 1867; and in default of such Report, whether he will advise Her Majesty to appoint a Commission of Military and Civil Engineers and Members of the House, to examine and report on the present condition of the Fortifications, and whether any of them can be dispensed with?

Sir JOHN PAKINGTON said, in answer to the first part of the Question of the hon. and gallant Member, he had to state that two forts at Chatham on marshy ground had subsided, but nothing had occurred to prevent their completion. In reply to the other portion of the Question, whether some of the new fortifications elsewhere had shown signs of instability, he also had to state that he had made close inquiries, and he found that in the case of one fort only the retaining wall had shown some signs of weakness, but the damage was not so dangerous as to prevent its being repaired. The remainder of the hon. and gallant Member's Question seemed to be in the nature of an argument and not of an inquiry, and he (Sir John Pakington) thought it inconvenient that an hon. Gentleman in asking a Question should introduce long recitals containing very severe attacks on public Departments, and proceeding from parties who expressed opinions without being subject to any responsibility. He was quite aware that opinions expressed by Mr. Hawksley were entitled to respect; but he could not accept that gentleman's authority as conclusive when compared with that of military men of the highest standing, on whose advice the Government of Lord Palmerston determined to carry out these fortifications. And in like manner he might say with respect to the extract from *The Times*, that it went very far beyond the facts. It was true that the magazine of a fort erected to protect the approach to the Medway had, from the nature of the soil, in some degree settled, but nothing had occurred which might not be repaired. He had no objection to lay on the table a Report on the present condition of the fortifications, as the extracts quoted by the hon. and gallant Member were calculated to create anxiety in the public mind.

ARMY—STAFF APPOINTMENTS—MULES IN ABYSSINIA.—QUESTION.

Sir PATRICK O'BRIEN said, he would beg to ask the Secretary of State for War, When the Returns relative to Staff Appointments, ordered on the 6th of June last, and which on the 21st of November he stated would very shortly be furnished, will be laid upon the table; also, when the Returns, ordered on the 3rd of December, of the names of the Officers employed in the purchase of Mules for the Abyssinian Expedition, and of the average cost per Mule, will be laid upon the table?

Sir JOHN PAKINGTON replied, that he had that evening laid on the table the Returns moved for with respect to these subjects.

ETWALL AND REPTON CORPORATION. QUESTION.

Mr. HENLEY said, he wished to ask the Vice President of the Committee of Council on Education, Why the Board of Management, constituted by the Act of last Session, for the future management of the Etwall and Repton Corporation, has not yet been nominated?

Lord ROBERT MONTAGU replied, that the nomination had been already made by the Charity Commissioners.

RICHMOND GREEN AND HYDE PARK. QUESTION.

Lord ERNEST BRUCE said, he rose to ask the First Commissioner of Works, For what reason the Avenue of Elm Trees on Richmond Green, which contributed so much to the beauty of the locality and the comfort of the inhabitants, who are mostly tenants of the Crown, has been suddenly removed; and, whether it is intended that all the Lodges in Hyde Park shall be re-built in the same peculiar style as those just completed at Stanhope Gate?

Lord JOHN MANNERS replied, that at the commencement of the year thirteen or fourteen elm trees formed the avenue in question. Unfortunately, in February a storm arose which broke down two of the number, and two more trees were destroyed by their fall; but on examination it turned out that these trees were quite unsound and dangerous, and upon further examination it appeared that those remaining were also in a dangerous condition. It was therefore recommended by the authorities on the spot that the whole of the avenue should be removed, and that the trees should be replaced by healthy lime trees. As to the second Question he was not aware of any necessity existing for re-building all the lodges in Hyde Park upon the model of those at Stanhope Gate. Certainly he had no such intention.

THE CHINESE EMBASSY.—QUESTION.

Mr. OSBORNE said, he would beg to ask the Secretary of State for War, If the appointment by the Chinese Government of Mr. John M'Leavy Brown (described in the Foreign Office List as Assistant Chinese Secretary of the English Embassy in China) to the post of assistant colleague of Mr. Burlengame, the new Chinese Ambassador, has been made with the concurrence of the English Envoy and Chief Superintendent in China, and if such appointment has received the sanction of Her Majesty's Principal Secretary of State for Foreign Affairs; and if Her Majesty's Government intend to enter into negotiations with Mr. Burlengame, as Chief Representative of the Chinese Embassy so appointed, respecting the Treaty of Tientsin?

Lord STANLEY said, in reply, that the appointment in question was made with the concurrence of the British Minister in China. It was made by Sir Rutherford Alcock in the first instance, upon his own responsibility; but upon the matter being reported to the Foreign Office, he (Lord Stanley) had no hesitation, under all the circumstances of the case, in approving of the step that had been taken. With regard to latter part of the Question, he could only say he was not aware at present what instructions Mr. Burlengame had; but if he arrived in this country, as it was supposed he would, duly accredited as the Representative of the Government of China, he (Lord Stanley) would be prepared to enter into negotiations or discussion with him upon all matters affecting our relations with the Chinese Empire.

NAVY—NAVAL COURTS MARTIAL.

QUESTION.

MR. STONE said, he would beg to ask the First Lord of the Admiralty, Whether, a Commission having been appointed to inquire into the working of Military Courts Martial, it is intended to extend a similar inquiry to Naval Courts Martial?

MR. CORRY, in reply, said, he had no present intention to recommend the appointment of a Commission to inquire into the working of Naval Courts Martial. In the year 1864 the Naval Discipline Act was introduced, which made many improvements in Naval Law; and after two years, trial another Act was introduced which effected further improvements. Subsequently to that period the Commanders-in-Chief and Captains on the different stations were called on to report on various matters, including the Naval Discipline Act of 1866, and, though there was a difference of opinion on other questions, they all concurred in approving of that measure. By the Act of 1864, the formation of Courts Martial was facilitated by allowing junior Officers to sit as Members of the Courts, but the result was found to be an increase in the severity of the sentences. Full powers had been vested in the Admiralty—especially the Act of 1866, and were freely exercised—to modify sentences of Naval Courts Martial; and on the whole the present law, he thought, worked satisfactorily, and he was therefore not prepared to recommend the appointment of a Commission.

ARMY—BREECH-LOADING RIFLES.

QUESTION.

SIR CHARLES RUSSELL said, he would beg to ask the Secretary of State for War, If he will lay upon the table of the House the Report of the Sub-Committee on Breech-loading Rifles, together with particulars of the trials lately concluded, and the award of prizes?

SIR JOHN PAKINGTON replied, that it was his intention to lay the Report on the table as soon as it was ready, and the Report would embrace the particulars to which his hon. and gallant Friend had referred.

POSTAL—MAILS TO MALTA.

QUESTION.

SIR GEORGE BOWYER said, he rose to ask, Whether the Government will consider the delay which will be caused by the new mode of transmitting the Mails to Malta? By the new contract with the Peninsular and Oriental Company, the Mails would be conveyed *viâ* the Straits of Messina, and would not touch at Malta. Upon application to the Colonial Office, he was informed that every Tuesday a Mail would be sent out to Messina, and that boats from Messina would carry the Mails to Malta. The distance was 170 miles, and the consequence was that the Mails would take in the transmission a week or ten days instead of five days.

MR. SCLATER-BOOTH said, in reply, that the Government had already taken into consideration the delay that would be occasioned in the transmission of Mails to Malta in consequence of the new arrangement with the Peninsular and Oriental Company, and the Postmaster General had made arrangements by which, in addition to the weekly mails leaving Southampton every Saturday, which reached Malta, *viâ* Gibraltar, in nine days, a Mail would be despatched every Tuesday, *viâ* Messina, which would reach Malta in seven days. He did not know that it would be possible to make arrangements which would be more convenient.

THE CATTLE PLAGUE IN NORFOLK.

QUESTION.

In reply to Colonel NORTH,

LORD ROBERT MONTAGU stated, that intelligence of the supposed outbreak of cattle plague in Norfolk was sent to the Privy Council Office by two magistrates of the district, and within an hour after the receipt of the information Professor Simonds was on his way to the spot. It appeared that ten animals had died of the disease, and three had recovered. Professor Simonds, in his Report, however, stated that it was not cattle plague, and that it was not contagious. It was apoplexy of the spleen, which was very fatal, but proceeded from causes unknown.

FINES AND FEES (IRELAND) BILL.

(*Mr. Hunt, Mr. Chancellor of the Exchequer.*)

[BILL 35.] SECOND READING.

Order for Second Reading read.

THE CHANCELLOR OF THE EXCHEQUER, in moving the second reading of this Bill, said, it would be in the recollection of the House that when the First Minister, then Chancellor of the Exchequer, proposed the Budget of this year, he mentioned the fund which was the subject of the present Bill as a fund which would come in as part of the Ways and Means of the year. After making that statement, it was objected by some persons interested in the question in Ireland that it would not be equitable that the fund should be so transferred; and it was arranged in consequence that a case should be prepared jointly by the Solicitor to the Treasury and the Crown Solicitor in Dublin, to be submitted to the Law Officers of England and Ireland. The case was one which required the examination of a great number of Acts of Parliament; and it was only in August last, after Parliament had separated, that the Opinion of the Law Officers was received. They were unanimous in opinion that, according to the equity of the case, the funds should be transferred to the Consolidated Fund, and they recommended, as it was a matter of some doubt, that the transfer should be effected under an Act of Parliament. The House would hardly expect him to go into all the clauses affecting the question, but would no doubt be satisfied with that Opinion. The fund which it was proposed to deal with arose from an accumulation of fines, penalties, and fees, which were for a series of years applicable in diminution of the contributions of the counties for the constabulary; but in 1851 the public took upon itself the whole burden of the constabulary, with the exception of some extra force employed, and the consequence was that, from 1851 to 1858, when another Act passed dealing with the question, these funds were not applicable in relief of the contributions from the counties. There was no question that they remained part of the revenue of the Crown, and that under the Civil List Act they ought to have been paid into the Exchequer. From 1851 to 1858 they were received and invested, and allowed to accumulate. Apart from the question of the authority of the Act of Parliament which affected the question, he thought the House would be of opinion that it was entirely wrong in principle that any Department of the State should have a fund accumulating over which it had control, and that such fund ought to be paid over to the Consolidated Fund, and if the Department required funds, they should come to the House to vote them. In 1858 an Act was passed making regulations as to the salaries of clerks of petty sessions in Ireland, and a clause was inserted under which the Irish Government had been advised that they had the power of employing the dividends of this fund in aid of the fund for the payment of those clerks. The wording of the clause was somewhat vague; and, in order to meet the objections which might be raised on the ground that the transfer of this fund to the Consolidated Fund deprived them of the dividends to which they were legally entitled, he had prepared the following clause, which might be inserted in Committee:—

> "If any deficiency arises by reason of the conversion of the said bank annuities in the sums required to meet any payments which have at the time of the passing of this Act been legally made chargeable, either in the whole or in part, upon the dividends of the said annuities, the Commissioners of Her Majesty's Treasury shall, after all other monies or funds applicable to such payments have been exhausted, make good such deficiency out of monies to be provided for that purpose by Parliament."

If a Committee of the House agreed to insert the clause, any objection which might be raised by persons interested in the salaries of petty sessions' clerks would be done away with.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

GENERAL DUNNE said, he regretted to have to oppose a Bill brought forward by the right hon. Gentleman on the first night of his official appearance as Chancellor of the Exchequer; and he regretted this the more because he feared the Bill indicated a change in the disposition of the Government towards Ireland. When Lord Derby took office he promised that he would look upon all Irish interests with favour, and he was surprised to find it proposed that a sum devoted to local purposes and raised from local sources should be applied suddenly, without any notice, to the Consolidated Fund, and a Bill brought in to legalize what would otherwise be illegal. The right hon. Gentleman had some time since acceded to a Motion of his, and agreed to lay on the table of the House a Return of the Acts regulating the application of those funds; but he only in the Return presented, out of several gave two relating to the subject, and one which had nothing to do with it, while, in his speech, he had totally omitted to mention that, by these specific Acts of Parliament, a portion of this fund had been for years applicable to infirmaries and hospitals, and that it was by an Act passed by Lord Derby's Government in 1858 the fund was made applicable to the payment of petty sessional clerks. This is an attempt to undo the kindly legislation of Lord Derby. The right hon. Gentleman said he had obtained the opinion of the Law Officers of the Crown—that he had a right to appropriate this fund, but should lay on the table the case submitted to the Law Officers, for it is difficult to imagine what could have been laid before them, except a number of Acts of Parliament diverting this fund to other purposes than those to which it is now proposed to apply it. He, in a clause which seems added to the original draft of the Bill, proposes a kind of compromise—that the Treasury shall pay the charges to which the fund is liable, but this compromise proposed shows that this Act is nugatory, for if the interest—about £2,000 a year—is to be paid to the petty sessional clerks, what object has he in seizing on it? If he has the legal power at present to seize on it, why does he propose a Bill to legalize his doing so? If it was thought that Irish people ought to pay a part of the expense of the constabulary, it would have been much better for the Chancellor of the Exchequer to propose to levy a tax for the purpose. He believed that the accumulated fund amounted to £67,400, and that the interest would not do more than supplement the fees required for payment of the petty sessional clerks, and therefore the right hon. Gentleman can receive no more than the amount which he will have to pay. Then what is the use of transferring the fund to the Consolidated Fund, unless he ceased to pay the petty sessions' clerks out of it, then additional local taxation must be imposed? He saw objections to petty sessional clerks being paid out of the Consolidated Fund, which would throw much additional labour on the Treasury and any central authority. Why not leave a local fund for local purposes to be managed as at present in Ireland? Were the petty sessional clerks paid as proposed by the Treasury, in a few Sessions it would be asked why Irish petty sessions' clerks were to be paid from the Consolidated Fund? No Irish Member could defend it as the fact of the fund from which they derived the claim having been transferred to it would soon be forgotten. He felt sure that English country gentlemen would not sanction the principle of making up a deficient revenue from county rates, and therefore he moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*General Dunne.*)

MR. GREGORY said, he could assure the House that the objection which had been raised against this Bill was a sound one. The right hon. Gentleman, in moving the second reading of the Bill, assuming that a portion of the sums received for fines and penalties in Ireland had always been appropriated to the payment of the constabulary, contended that, as those payments were now made out of the Consolidated Fund, he was justified in introducing this Bill to transfer this £67,000 to that fund. The assumption of the right hon. Gentleman was, however, entirely without foundation. It was clear from various Acts of Parliament that from 1827 to 1850 these fines and penalties were applicable to the support of local charitable institutions, and it was not until the latter year that they were declared applicable to the payment of the salaries of clerks of petty sessions. If words were introduced into the Bill providing that the interest of these £67,000 should for the future be applicable to the payment of the salaries of the petty sessions' clerks in Ireland, he would withdraw his opposition, otherwise he trusted that the House would acknowledge that there were exceedingly good grounds for resisting the measure.

THE O'CONOR DON said, he wished to point out to both English and Irish Members that if this sum of £67,000 were to be absorbed, the proposal of the right hon. Gentleman would amount to this—that hereafter the charges for the petty sessions' clerks in Ireland would have to be borne by the National Exchequer.

MR. REARDEN said, that the House by sanctioning the proposal of the Government would be pauperizing 452 gentlemen and their families. He trusted the House would mark its sense of this very petty Bill by rejecting it by a very large majority; if not, he should move a clause in

Committee to meet the case of the petty sessions' clerks.

The ATTORNEY GENERAL said, that the £67,000 was a fund, the whole of which was in existence before the Act of 1858 was passed, and the complications which had ensued had rendered legislation necessary. In 1836 the expenses of the constabulary were charged upon the Consolidated Fund, one-half of the amount to be repaid by the counties. It was subsequently provided that the Lord Lieutenant, if he thought fit, might direct the money received from fees and penalties to be applied partly towards the support of hospitals and other local charities, and partly towards a loan fund Board, and partly to the reduction of the county burdens. If, under that and subsequent Acts, the Lord Lieutenant had neglected to direct the payment of the money to these particular institutions, the money would at once have belonged to the Consolidated Fund. For a long number of years sums of money which ought under these Acts to have been paid into the Consolidated Fund had, instead of being so treated, been allowed to accumulate, and in 1853 they were invested. The Bill only proposed to do that which ought to have been done in former years—to pay over these sums of money to the Consolidated Fund, of which they rightly formed a portion.

Sir PATRICK O'BRIEN said, if there was no question as to the legal operation of the Acts which had been referred to, what, he would ask, was the object of this Bill? He regretted to see such a Bill as this proposed by hon. Gentlemen opposite, who professed such a desire to promote the material interests of Ireland. The passing of this Bill would throw all the counties of Ireland into confusion.

Mr. HENLEY said, the preamble of this Bill laid down a principle to which he could not assent, because it laid down a principle that might be prejudicially applied in the future. They should beware how they approved a principle which might lay the foundation for depriving the Irish people of the right of applying any monies in excess for local purposes in the future. The principle laid down in the Preamble was very objectionable if it were to be applied in its width, and he would remind hon. Gentlemen that the same principle, if sanctioned, might be applied to all the counties of England.

Mr. LAWSON thought that this Bill ought not to be allowed to pass in its present shape. The destination of this fund was expressly provided for by the Act of 1858, which was introduced by the present Chief Secretary for Ireland. This Bill completely ignored the existence of that Act without repealing it. All the right hon. Gentleman did was to provide for the pensions of the present holders of these offices; but to be consistent he should carry legislation further. He trusted the right hon. Gentleman would not press the Bill to a division, but would re-consider it.

The CHANCELLOR of the EXCHEQUER said, that with respect to the observation of the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), if the Preamble were faulty it might be amended in Committee. He held that the money with which they were called to deal had been forfeited to the Crown under the Civil List Act. With regard to the Act of 1858, he believed all that was given was the fund arising out of the accumulation of future fines. This Bill did nothing which affected them; but it sought to apply the accumulated fines, which constituted a surplus balance in the hands of the Receiver-General, between 1852 and 1858. When the case was submitted to the Law Officers for England and Ireland, the fullest opportunity was given to make out a case against the transfer of this fund to the Consolidated Fund, and it was their unanimous opinion that it ought to be so transferred. He believed it was very questionable whether legislation was really wanted, and whether the money might not have been transferred under the Civil Service Act, and it was only for the purpose of preventing doubt that the Bill was introduced.

Mr. CHILDERS said, that while he entirely agreed with the object of the Bill, the state of the question had not been fully explained, and he would do so without discussing dry interpretations of Acts. The fact is that the clerks of petty sessions in Ireland were paid in a peculiar manner. They received their salaries not out of the Votes of Parliament, but out of the proceeds of the stamps they sold; and if they did not sell enough for their salaries, the difference was made up out of this fund. On this fund their gratuities and superannuations were also charged by the Lord Lieutenant. What was the common-sense course of dealing with this question? It was to abolish the absurd system of paying salaries out of stamps, and to pay these gentlemen directly out of the Votes of that House. He suggested that the Bill should be withdrawn, and that another Bill should be introduced charging the salaries, superannuations, and gratuities on the Votes of Parliament, in the usual way. There would then be no objection to paying the fund into the Exchequer.

MR. DISRAELI said, that the suggestion of the hon. Gentleman was very good, if viewed in a certain light; but they knew, practically speaking, that when they had before them something with which the House ought to deal, it was much better to deal with it at once. All the labours of the Public Monies Committee, and all the attempts the House had been making for several years to get the public accounts into an intelligible position, would, in a certain degree, be defeated if there was opposition to Bills of this description. There was not the slightest doubt that this large sum was due to the Consolidated Fund, and ought to be paid to it. With regard to any legal claims on the fund, they were perfectly ready to meet them in Committee, and if the Bill so dealt with passed it would effect a great improvement, and be in complete accordance with all the steps the House had taken in deference to the recommendations of the Public Monies Committee. He therefore trusted the House would agree to the second reading.

MR. CARDWELL said, he should vote against the second reading of the Bill, notwithstanding the appeal of the First Lord of the Treasury to the Report of the Public Monies Committee; and he did so in deference to the authority of the hon. Gentleman (Mr. Childers) who acted as Chairman of that Committee. He believed that this was the single exception to the uniform course which the House had pursued with regard to payments of this kind; and he thought that it was the duty of the Government, when a case of this kind arose, to bring forward a measure to deal with the Act of 1858, by repealing any exceptional provision, and deal with these funds upon the footing on which other funds were dealt with.

MR. O'BEIRNE said, he had hoped that the House would have received more information on the matter as to the state of the law. They ought to know to what fund this money legally belonged. He could now understand the nature of the right hon. Gentleman's appeal as to the important business that had to come on. He thought that this was not a happy inauguration of the Irish policy of the Government, to begin with an Act which he must call one of Irish spoliation.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL—[BILL 29.]

(*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Lord Advocate.*)

MR. HADFIELD moved, as an Amendment, that the Bill be read a second time that day six months. His hon. Friend the Member for Montrose had given notice of a Motion that was to be proposed on going into the discussion in Committee, but he did not consider that satisfactory. He objected to the Bill because it contained a principle to which he strongly objected, and which principle he thought ought not to be agreed to—*sub silentio.* He alluded to the proposition to increase the number of Members of the House. This was a thing which had never been attempted since the Union with Ireland, and he did not know for how long before. The House should consider whether they were prepared on every emergency to increase the number of Members—a number which, in his judgment was already sufficiently large. He thought that the United Kingdom ought to be treated as one entire community in regard to policy and legislation, and not dealt with in this exceptional manner. He was anxious to do justice to Scotland in the representation; but he would do it, not by increasing the total number of Members in the House, but by getting rid of the small boroughs in England which represented no interest, agricultural or commercial, and were in reality bought and sold. He felt bound to take the sense of the House upon the question, whether the number of Members in the House should be increased.

MR. REARDEN seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Hadfield.*)

Sir WILLIAM SCOTT said, that the proposition to give additional Members to Scotland was not unaccompanied with the suspicion of interested motives; for no pains had been taken to conceal that the purpose was to separate the large and thriving towns from the counties in which they were situated. In some boroughs the constituencies which were small already were to become "beautifully less," for they would be diminished by one-half, and this proportion was to be added to constituencies which were already large enough. He was quite prepared to extend the franchise to working men in towns, so that they might have their fair share in the choice of Members. He tendered his thanks to the First Lord of the Treasury for his cordial recognition of the just claims of Scotland; but regarded the provisions of the Bill as inadequate, though he should be disposed, by way of compromise, to accept the Government proposal if three additional Members were added.

Mr. BAILLIE COCHRANE said, he did not understand the course taken by the hon. Gentleman the Member for Sheffield (Mr. Hadfield). He talked about justice to Scotland. He spoke in terms of affection of Scotland, and yet he proposed to vote against that Bill, which certainly did most inadequate justice to Scotland, but which was at any rate one step in the right direction. He differed from hon. Gentlemen opposite who, on a recent occasion, when that Bill was produced, expressed their intention to vote against it because it only gave seven Members. He perfectly agreed that seven Members were most inadequate, because by every calculation they could arrive at, by comparing the revenue and the population of Scotland with the rest of the kingdom, they must come to the conclusion that Scotland ought to have at least twenty-five more Members. [An hon. Member: Fifteen.] At the time of the Union, the question as to the number of Members which Scotland ought to possess was very fully taken into consideration, and every attempt was made to render the proportion of Members commensurate with that of the population. In the Reform Bill of 1832 the principle was laid down that representation should vary with revenue and population. At the time

of the Union Scotland paid only one-fortieth of the revenue of the United Kingdom. Now she paid one-fifth. Certainly Scotland was entitled to twenty-five additional Members, and he regretted that in introducing the Bill the Government had not given more effect to her claims. If we wanted a complete union between the two countries, why should not the Government and Parliament take care to give Scotland an adequate representation? There were twenty-two boroughs in England, with an aggregate population of 113,000, and they returned twenty-two Members, whereas Lanark, which, without Glasgow, had upwards of 200,000, had but one Member at present, and which, with Glasgow, had nearly 800,000, and would have even under this Bill only five Members. It had been said that the Scotch Members looked after the interests of Scotland, and that Scotland obtained every advantage which could arise from the sympathy of its representatives; but was that the case? Ireland contributed £6,000,000 annually to the Imperial revenue, and Scotland contributed £8,400,000. What proportion did each of the two countries receive back? Taking the Estimates of last year he found that Ireland received back no less than £1,740,000, while Scotland got back only £262,000, which sum included the miserable amount of £1,800 allowed for Holyrood. He did not think those figures bore out the impression so commonly entertained that the Scotch Members took peculiarly good care of their own interests. When a measure was being framed which might have to last for many generations, he thought it a matter of regret that these things should not have been considered. However, bearing in mind the old maxim that "one must not look a gift horse in the mouth," he thought it would be very unwise of the Scotch Members to throw out the Bill. He did not think there was the remotest chance of obtaining the consent of the English Members to a proper increase of the numbers of the Scotch Members. Any such proposal would meet with violent opposition. ["Hear, hear!"] Hon. Gentlemen cheered, and there was no doubt that they expressed the feeling of Members for small English boroughs on both sides of the House. The Government should have fixed the number, so as to form the basis of a real union between the two countries, and he would appeal to them whether there was not some chance of their altering it now. But he implored the

Scotch Members on the Liberal side not to throw out the Bill if they could not get a better, because English Members would not meet their views, and they might be left without even the modicum of seven additional Members now offered.

MR. SMOLLETT said, it was not his intention to allow the second reading of this Bill to go to a vote without a full discussion of this question of Scotch Reform, for he meant to criticize the subject of Reform in general, and this Bill in particular; and he might as well tell the House that his criticism should not be a laudatory one. But he would support this Bill, though he disliked it, because he felt it was an absolute necessity. He was an advocate for large and comprehensive measures of Reform and social progress; but he had not been sufficiently "educated" in the science of Reform to be enamoured with household suffrage, and, not being so enamoured with household suffrage, he had no hesitation in saying that he disliked the Bill. But, as he before observed, he looked upon this measure as a necessity; for, in point of fact, it was neither more nor less than the necessary supplement to the much larger measure which was passed for England last year. The main object of the Bill was to assimilate, as far as circumstances would permit, the right of voting in Scotland to that which was hereafter to prevail in England. South of the Tweed they were to have household suffrage in towns and boroughs modified or controlled by the personal payment of rates. In Scotland, therefore, it was proposed that they should have household suffrage also; but as near as possible, in his judgment, household suffrage pure and simple. Looking at it as they might this was a great jump downward. He should not call it a "leap in the dark," as more than enough use had been made of that unfortunate expression. But he said it was a change which the educated portion of the country did not require, and which no political exigencies of last year demanded. It was a change which would be sullenly and sulkily acquiesced in in Scotland by the £10 constituency, which had been brought into existence by the Act of 1832. And it would be sullenly and sulkily acquiesced in by them, simply because they could not help themselves. And why could they not help themselves? Because they were deserted by the Leaders of the factions that gathered on both sides of the House. He had no doubt that in that House the Scotch Bill for Reform would be pressed forward with a good deal of that sham zeal and mock alacrity with which the Bill of last year was passed. He used those words advisedly, because whatever hon. Gentlemen opposite might say upon the hustings whilst "starring" it through the provinces—telling their admirers that the Bill was an excellent one, that they had had a good share in the framing of it, and that its only fault was it did not go far enough—he put no faith in these professions, believing that not one in ten of these hon. Gentlemen cordially approved in this jump downwards when the measure was first introduced; and that not one in ten of them really thought that this series of Reform Bills would give them a Parliament more fitted to legislate for the United Kingdom than the present one. He was of opinion that not one in ten of them thought that the assemblage of Gentlemen in this House in 1869 would be more disposed to legislate and co-operate cordially, or to act harmoniously together for the public good than the present House of Commons. Nine years' experience of Parliamentary life satisfied him of this fact—that there was no phase of human existence in which there was so much insincerity as in politics; and insincerity and party trickery appeared to culminate when they were discussing in this House Parliamentary Reform.

But as regarded this particular Bill of Reform, the first point he wished to look at and discuss was this, how would household suffrage—to which this country was about to be subjected—answer in Scotland? Would it act well or ill? He confessed he thought it would act very badly. To illustrate his argument he would take the two largest cities in Scotland, and see how it would act in them. In the first place, he would take Glasgow, the commercial capital of Scotland, as an example. It was the second city in importance in the British Empire. Now Glasgow, by the Act of 1832, had a £10 constituency of 14,000; but that constituency, having increased with the growth of the town, was now 20,000. A constituency of 20,000 voters was a very large one, not easily managed, and sometimes disposed to run riot. But the city of Glasgow, even with that large constituency, had for the most part contrived to be well and creditably represented in the House of Commons. How would it fare under this Bill? There would be an addition of 30,000 or 40,000 electors of a lower class than Glasgow had at present.

Now, a constituency of 60,000—for the city was not to be divided into wards—was a monster constituency; and in his judgment this monstrous constituency would prove a gigantic nuisance. He spoke the opinion, he believed, of every man of education, intelligence, and position he had ever conversed with in Glasgow, whether Whig, Radical, or Conservative, when he said that this would be a great change for the worse. The senior Member for the city of Glasgow, whom they all knew, and whom he knew very well, for he was one of his own constituents, might possibly be returned again for that city under this Bill, because he did his best to have the measure passed through Parliament. That hon. Gentleman was one of the celebrated "Tea party" who supported the Reform Bill, and what was more to his credit he openly avowed those opinions in the House which he expressed in the Tea-room. But, without endeavouring to prophesy who would be returned, he (Mr. Smollett) would venture to say that, after the first General Election under this Reform Bill—after the people had had time to know their strength, and to combine — there was not the smallest chance that the city of Glasgow, with all its great commercial, monetary, and manufacturing interests, would be so well represented by three Gentlemen returned by a household suffrage constituency as it had been by the two Members chosen by the £10 constituency of the Act of 1832. And he would say that with the full and perfect recollection that the lower class of the £10 voters at Glasgow, had, on one occasion at least, when aided by the publicans, who were a numerous body, thrown out from the representation of that city, Mr. John Dennistoun, one of their best and ablest citizens, and elected in his place a total stranger, whose subsequent career did that city no service. But all constituencies were liable to err, and the constituency of Glasgow on the occasion referred to chose their new candidate, Mr. John Macgregor, under the belief that he was the future Chancellor of the Exchequer in England.

He (Mr. Smollett) would now say a word about Edinburgh, the ancient capital of Scotland, and the romantic town of Sir Walter Scott. The city of Edinburgh, after the passing of the Reform Bill of 1832, had a constituency of 7,000 electors, which number was increased to 9,000 by a Bill passed in1856, at the instance of the present Dean of Faculty, the junior Member for the city. He increased its constituency largely by that Act, but he did not improve it, as he very soon found to his cost. Now, the city of Edinburgh—and he said it to its credit—during the twenty-five years from the passing of the Reform Act of 1832 had returned to this House a greater number of men eminent in literature, in politics, and in station, than any other city in the British Empire. It had returned Francis Jeffrey, afterwards Lord Jeffrey, and the name of Francis Jeffrey will long be held in grateful memory by the legal and literary circles of Scotland. Edinburgh returned Mr. James Abercrombie, who sat as Speaker of the House of Commons, and was subsequently created a Peer by the title of Lord Dunfermline; plain John Campbell, afterwards Lord Campbell, was sent to the House of Commons by Edinburgh, raised to the highest legal office in England, and who died a few years ago full of years and of honours, Lord Chancellor of England; Thomas Babington Macaulay, afterwards Lord Macaulay, was more than once returned for this city; and in more modern times Edinburgh was represented by men eminent for talent and good social position. The constituency of Edinburgh by this Bill would be increased by at least 9,000 electors of a lower and less educated class than at present existed. Well, what good would that do for Edinburgh? He believed he spoke the universal voice of all men of education and intelligence in Edinburgh when he said it was their impression that upon the passage of this Bill the days when men of eminence and of station were elected as representatives of the capital of Scotland would have passed away and would never return. This city, the representation of which had hitherto been regarded as an object of ambition by the great men to whom he had referred, would in future be represented by prosperous tradesmen, by local orators in the Town Council, or possibly by men who had made their fortunes as speculators or contractors in lines of railway. These were the types of men whom, it was expected, the citizens of Edinburgh would afterwards honour by their selection. And, knowing these facts, he was not wrong in the conclusion to which he had come, which was this—that the Bill entitled a Bill to amend the Representation of Scotland, was really a Bill to degrade the representation, in so far as the great cities and towns in Scotland were concerned.

And now about the county franchise.

The county franchise in Scotland was to be subjected to considerable changes; but those were changes which were inevitable, and to which no one probably would object. There was to be a reduction of the occupation franchise in Scotland, as in England, from a £50 occupation to a £12 rating. This, of course, would give a very great addition to the urban element in counties. It would give no addition whatever to the rural element in Scotch counties. The reason was this. There were very few occupants of land in the Lowland counties of Scotland, which embraced all the wealth of the country under £50, and the number was becoming smaller year by year. The effect, therefore, of this reduction would be largely to increase the urban element in counties. But he did not object to that at all; because when they saw that the occupant of the meanest hovel in some of the boroughs was to receive the franchise no one would object to the occupant of a £12 house being entitled to a vote when residing in a county. Then there was to be a reduction of the property qualification in Scotland, from £10 to £5. That, of course, they must submit to. That provision would have the effect also of enormously increasing the urban element in Scotch counties; and in most of the Lowland counties in Scotland that element preponderated immensely at this time. Now, when a Bill of this nature was brought in and pressed upon them, one to enlarge the urban element in counties, justice required that in some places, at least where it could be done properly, an opportunity should be taken to eliminate some of the large towns in Scotland from the counties. That had been done largely in England, under the Bill of last year, and it had been carried out to a great extent. The way to do that in regard to Scotland was, of course, to strike out some of the small and inconsiderable towns from the existing groups, which ought never to have been retained there, and to place in lieu of them some of the larger towns that had grown into importance. If that had been done wisely, fairly, and circumspectly, this Bill would pass without a demur. But this part of the Bill had been handled by its framers in a very clumsy and inadequate manner. Instead of doing that to which he had referred, they had mixed up a lot of small and decayed towns in boroughs, and some of the larger towns they had grouped together, as in the Coatbridge group in Lanarkshire, in an extraordinary and reprehensible manner. He thought that this portion of the Bill must be altogether remodelled; and, if not remodelled by the Ministers, he thought that when they got into Committee the House ought to take that portion of the measure into their own hands. The right hon. Member for Kilmarnock (Mr. Bouverie), a day or two ago, stated that he did not know who had the command of a majority in this House. He did not know whether the right hon. Gentleman the First Lord of the Treasury had a majority, or whether the Leader on his own side could lead the majority. He (Mr. Smollett) was not going to discuss that question; but in his humble judgment the advanced Liberal party in that House was, as far as regarded Reform matters, master of the situation. They had shown themselves to be in this position in the discussion of last year over and over again. If this party, then, should take the redistribution of seats into their own hands, they would, with very little trouble, make short work of the great Conservative minority in Scotland. They could easily, by a very slight manipulation, make the whole representative body in Scotland of one uniform hue, the uniform being blue and buff above, and democratic red below. He had no doubt that such would be the consequences of this Bill, for they knew the concessions which the Ministers would be willing to make, in order to have the credit of passing a measure of this sort through the present House of Commons — a House, by-the-by, which was brought together by Lord Palmerston for far different purposes. He believed that the end of all this would be that in two or three months, when the Bill emerged from the Committee, it would be in such a condition that the Conservative interest in Scotland would not be in a position to return more than one or two Members for counties to that House, and that was not a consummation for which he could thank the Ministerial front Bench.

Having now criticized all the salient features of the Scotch Reform Bill he should only say in conclusion that he should support this Bill as an inevitable necessity. The observations he had made, if the House had listened to them, would serve to show that he was not one of those Gentlemen— simple-minded souls!—who look upon the settlement of Reform as a great Conservative triumph; but, at the same time, he begged emphatically to disclaim any sympathy with the right hon. Gentleman the Member for Calne, or noble Lords and right hon. Gentlemen on the Ministerial side of the House, who constantly represented in the discussions of last year, that the Bill for household suffrage in towns and boroughs is a Bill calculated to be dangerous to the monarchy, and likely to be subversive of the Constitution. He entertained no such fears, though he admitted it would transfer largely political power from the more wealthy and well educated of the middle classes to a much more poorer and less educated class below them. In the next and following Parliaments they would have a great many Members who were largely connected with the landed interest, they would have a large number of elderly gentlemen as at present, who had made their money in trade, manufactures, and commerce. To those, no doubt, would be added a few men belonging to the working classes—and in his opinion the fewer they were the better it would be for themselves—for he believed that if any number were returned to this House, unless they adopted one of the principles of the Charter, the payment of Members, they would soon find themselves as much out of their element in the House of Commons, as they would feel out of place if asked to dance a polka at the Court of the Queen of the Saxons. They would, no doubt, have some representatives returned by members of trades unions, and possibly paid by their funds—men of the Broadhead stamp of mind—so popular in Sheffield, and men whom it would be disagreeable to argue with, and perhaps dangerous to thwart. If household suffrage were extended to Ireland, and forty new Members added to that country, as one of her sapient Members had proposed, then in his opinion they would have a very curious lot of representatives from Ireland—men who would be likely to be tinged with Fenian sympathies. He should not be surprised to find one or two "black diamonds" sent from Scotland to represent the interests of those who earned their wages by working underground. The whole assembly would form a compound which, in his opinion, it would be exceedingly difficult to manage. The labours of the Leader of the House, already sufficiently arduous, already requiring an amount of tact, judgment, and discretion which few of them possessed would hereafter be enormously enhanced. When this Bill became the law of the land, the corrupt influence of money would begin to be felt in that House. The expenses of contested elections would be largely increased, and the consequence would be that men of small fortunes—men like himself, whose pockets were not lined with bank-notes—would have to give way and retire from the House. Those were some of the evils—not that his exclusion would be one—but what he had enumerated would be some of the small evils which would arise from the passing of the Bill. They were small mischiefs, and would not, he thought, overthrow the British Constitution. No doubt the sentiments which he had expressed were distasteful to a large number of Gentlemen on both sides of the House; but he believed they were largely shared by hon. Members, and particularly those who sat on the front Opposition Benches. If proof of that be needed, he had only to refer to the scene that took place in that House last July, when the English Reform Bill was read a third time. What was that scene remarkable for? It was remarkable from the fact that not one of those who had sat in the Cabinet of Lord Palmerston and Earl Russell — nor any of Her Majesty's present Advisers, with the single exception of their mouthpiece, the right hon. Gentleman the Member for Bucks—thought fit to take part in that debate. They shirked the discussion and skulked away without expressing one word of satisfaction at the final passing of the English Reform Bill — a Bill the most momentous in its consequences of any measure that had passed the House for the last century. But, though they said nothing, their expressive silence, their rueful and lugubrious looks —for he sat opposite to them—sufficiently showed, and eloquently told, what little satisfaction they felt in the final success of the measure, to amend and modify and render which acceptable to the people of England, they had been pretending to cudgel their brains, and that not ineffectually, for the three or four preceding months. If, however, they entertained any satisfaction at the passing of the Bill, they had a curious way of showing it. Whatever joy and satisfaction they felt at the passing of that measure he should feel when this Scotch Bill was declared to be the law of the land—not one atom more or one fraction less. That was his contribution to the Scotch Reform Bill.

MR. M'LAREN said, he took the liberty on the first reading of the Bill to point out some of its defects in regard to the distribution of seats and taking small towns out of counties, and he would therefore not speak upon that point now. But there were other points in the Bill which were equally objectionable, and he would confine his remarks to them. One of the most important parts of the present Bill which required amendment related to the rating for the poor and the payment of rates. When the proposal was made to abolish the payment of rates in England, he voted for it because he was satisfied that the principle of the proposal was correct. It was then argued that the payment of rates was always required in England; but in Scotland the payment of rates was not now required, and the payment of rates never was required either in boroughs or in counties. He therefore could not see why it should now be required for the first time. The right hon. Gentleman the Member for Buckinghamshire told them when he introduced his plan of Reform that one of its principles was that it disfranchised no one; but if they would examine the details of this measure, he (Mr. M'Laren) thought it would appear that practically it operated to a considerable extent as a disfranchisement Bill. There were three clauses altogether in the Bill which applied to the payment of rates. If he read these clauses wrong he hoped the learned Lord Advocate would set him right; but his reading of these clauses was, that payment of rates was to apply, not merely to the new voters to be enfranchised, but also to the existing voters of £10 and upwards in boroughs, and to the existing county voters of £50 and upwards. If that were so it was clearly and palpably a disfranchising measure, and it introduced a principle which never had been adopted in Scotland. If the contrary were the case, and if it was intended that the payment of rates was only to apply to the householder under £10, he would ask the house to look at the consequences of that distinction. The rich man was not required to pay the rates in order to get on the roll, but the poor man was required to do so. Such a provision was, therefore, most objectionable, and there was no necessity for it. Payment of rates had hitherto never been insisted on in Scotland. Some time ago he moved for a Return, in order to show the state of matters in Edinburgh. That Return had been printed, and was last week laid upon the table. If the hon. Member for Dumbartonshire (Mr. Smollett) had read it, he (Mr. M'Laren) thought his horror would have greatly increased, for he would have found that the constituency of Edinburgh, instead of being increased by 9,000 as he alleged, would be increased by nearly 18,000. Of this number 16,000 were rated under £10, and while 15,000 of these paid the rate, in 4,000 other cases, under £4 of real rent, the local authorities did not think it worth while to lay on the rate, because the expense of enforcing it would amount to more than they would recover. The payment of rates was a smaller matter among the poorer classes of Scotland than among those of England. The average rate for Scotland did not amount to more than 1*s.* 6*d.* in the pound, of which the landlordpaid one-half, and for a house rented at £3 the occupier would only be called upon to pay 2*s.* 3*d.* For these reasons he thought the payment of rates should not be insisted upon, and he thought the whole Bill in that respect should be re-modelled. Then there was another class of objections which related to the joint tenants and occupiers, and to joint owners, life-renters and parties not being infeft. In many instances sham voters had been put on the roll who had no real interest in the county, in violation, perhaps not of the letter, but certainly of the spirit of the law. In England, with its large counties, if a few hundred voters were put on the roll in this way it did not signify much. But let them look at the size of some of the Scotch counties. There were three counties, the populations of which, exclusive of the Royal burghs within them, was as follows:—Peebles, 9,363; Bute (exclusive of Rothsay), 9,209; and Selkirk, 6,854. There was a party in Edinburgh, chiefly Edinburgh lawyers, who formed a sort of flying squadron, and went round the country getting themselves registered for various counties, with which they were in no way connected, on nominal qualifications, by which means they were enabled to carry an election, although they had no real interest in the county. Now, whatever might be done in the large counties of England, he thought that in the small counties in Scotland residence should be made imperative, and that no man, whether owner or occupier, should be allowed to vote unless he were resident in the county. There was a remarkable instance which occurred lately in the county of Renfrew. In that county a party of thirty-two gentlemen bought a block of buildings, for which they professed to have paid a large sum of money, but they borrowed it all except £26 for each of the thirty-two claimants. By paying that sum they got a conveyance to the property, giving security over it for the balance, and when the case came before the Court, on an objection that each claimant had not a clear annual interest of £10 in the property as required by the Scotch Reform Act, the Revising Barrister was obliged to admit them on the roll. Some of the gentlemen were resident in Edinburgh. One of them resided at Carlisle, and others were scattered all over the country; but very few of them belonged to the county itself. He was delighted to see that in the present Bill the Lord-Advocate had introduced a clause which would prevent those persons in future from obtaining votes. He referred to the 13th clause, which required the interest of borrowed money to be deducted from the rental before the £5 net rental was shown. Now, if the interest of the bonds were deducted in the case of the thirty-two Renfrewshire voters there would not be 20*s*. of income to each from the property. He had named the population of three little counties. At the time of the Reform Bill of 1832, three burghs, which had been Royal burghs for 600 years, were taken out of their position as burghs and made part and parcel of the counties for political purposes. But the people of these burghs had no real power —he meant the occupiers of houses—inasmuch as the franchise was a £50 occupancy. He was talking some time ago to a gentleman in the neighbourhood of Peebles, who told him that, although the burgh of Peebles was included in the county of Peebles for the purpose of swelling up its nominal numbers, yet there was only one county voter in the burgh who voted in his character of occupier, and he was the keeper of the inn. Thus the only representative of the inhabitants was the innkeeper. Before going farther, he would entreat his hon. Friend the Member for Sheffield (Mr. Hadfield)—who had made a Motion for the rejection of this Bill—not to persevere with that Motion. If he were to succeed, it would be a great calamity for Scotland, because they would have no Extended Franchise Bill this Session. If the distribution clauses were bad, as he held them to be, let them be thrown out; if any clause was bad, let them reject it; but by all means let the Bill pass to enlarge the franchise both for burghs and counties in Scotland. The hon. Gentleman might be satisfied not to press his Motion, as there was a Notice on the Paper which would lead to the discussion of this subject at the proper time in Committee. He (Mr. M'Laren) confessed that he would sooner be without the seven Members which the Bill gave to Scotland than take them in the manner they were now arranged, connected as they were with taking all the small towns out of the counties and adding them to burghs, without giving these burghs additional Members. He would not object to leave the number to the wisdom of the House, for there was no man in the House who did not believe that in the course of a very few years there would be a new Bill for the re-distribution of seats. The logic of the Notices now on the Paper seemed to him to be this—that if Scotland did not get Members by taking them from England, Scotland ought not to get Members at all, and to this conclusion he could never assent. It was stated on a former occasion that this Bill simply followed up the principles of the Act of 1832. This was a very great mistake. The present Bill added eleven new burghs, but only gave one new burgh Member, without including Glasgow, for all these burghs. The Act of 1832 created thirteen burghs, but it distributed them in such a way, first by creating new constituencies with new Members, and then by giving additional Members to the existing large burghs, that after the thirteen burghs were added to the number which formerly existed, the grouped burghs were only sixty-six in place of sixty-five, which they were fixed at by the Act of Union; and besides, the population of the grouped burghs was diminished by 300,000 by the Act of 1832. But the population of the grouped burghs would be largely increased under this Act. As he had said, there were thirteen burghs created by the Act of 1832 — Edinburgh which formerly had one Member, got two; Glasgow got two, Aberdeen one, Dundee one, and Perth one, making six in all. The towns which were not formally burghs, which were created burghs by the Act and got Members, were Paisley, which got one, and Greenock one. This disposed of the eight new Members; but there was also a new group created which got a Member— namely, Leith, Musselburgh, and Portobello. That made practically nine, although there were only eight Members to dispose of, and to provide for this, the old groups were crushed together, so as to make one group fewer. There were thus thirteen old groups after the passing of the Act of 1832, instead of fourteen, which had existed up to that date since the Act of Union. These principles were all to be changed by this Bill. Glasgow was formerly grouped, as was Aberdeen, Dundee, and Perth, each of them having one-fourth of a Member, and their population at that time was about 300,000. They were taken out of their several groups in 1832. A great deal had been said about justice to Scotland as respects the number of Members, and various statements had been made as to the number Scotland ought to have. He was anxious to say a few words on that subject. He would not have said a word on the subject of Ireland if it had not been for the Notice which stood upon the Paper in the name of the hon. Member for Athlone (Mr. Rearden). His Amendment seemed designed to stop the way. He laid down three conditions, which he said should be fulfilled before Scotland was to get any Members. First, there should be equal electoral districts; secondly, there should be 740 Members altogether, and, thirdly, Ireland should have forty additional representatives. After these three things were done there would be no objection, he thought, to discussing the requirements of Scotland. The hon. Gentleman arrived at his conclusions by misstating the populations in every instance. He understated the present population of England by 2,000,000, which made a difference in his calculations of fifty Members. He understated the population of Scotland by 200,000, which would represent five Members; and he overstated the population of Ireland by 300,000, making a difference of seven Members. When such inaccurate statements were made it was hardly necessary seriously to discuss the propositions based on them. There are various Returns respecting the number of Members Scotland should have, and they are all somewhat different, being for different years. Some were framed on the population, and others on the amount of Revenue, and one of these was incorrect, because the duties on spirits paid in Scotland and not consumed there were not deducted. The Return of 1867 was accurate in that respect, and according to it Scotland should have seventy-eight Members, instead of fifty-three; and, if they took the other Return of Population, they should have sixteen. He was quite willing to reduce the claim of twenty-five additional Members for Scotland to fifteen in present circumstances. Scotland was most certainly entitled to fifteen additional Members, and no man who wished Scotland to reap any effectual advantage from a Reform Bill could say that less than that number ought to be given to her. The only objection he had ever heard stated to the accuracy of the Revenue Returns, was as to the quantity of sugar which pays duty in Scotland, and which is sent from that country to Ireland, thus giving Scotland an apparent advantage. This is quite true; but I will take as a set-off against that correction the duty which Scotland pays upon other articles, of which England gets the benefit in the Revenue Returns. Take tea, for instance. I have a letter here from a wholesale dealer in Glasgow, who tells me that last year he paid duty in London on 533,000 lbs. weight of tea consumed in Scotland; and in Glasgow on 744,000 lbs., and that this year the quantity on which he will pay the duty in London, he says, will be very much larger. Thus, you have one man paying in London duty on more than 500,000 lbs. of tea consumed in Scotland, which duty goes into the English Revenue. Duties on dried fruit, on wines, and various other articles, including loaf sugar—of which there is none made in Scotland—are paid in England for large quantities sent for consumption in Scotland. Again, many large mercantile houses in Scotland pay their income tax, through the special commissioners in London, which goes to the credit of the English Revenue Returns. I think, on these grounds, we have a fair claim to fifteen additional Members. He had heard it stated by way of objection that Lancashire had a better claim to additional Members than Scotland; but no one who looked into the facts could seriously argue that such was the case. The population of the county part of Lancashire was 992,145, and that county had therefore one Member for every 124,000 of the population. But the four largest counties in Scotland had a population of 555,004, or only one Member to 138,750. The county of Lanark has now, including its burghs, a population estimated at nearly 800,000; but it has, or rather will have, supposing this Bill to pass, not more than six Members. Lancashire, including its boroughs, has now thirty-three Members, and its population is about three and a half times that of Lanarkshire; but if it was treated as Lanarkshire is proposed to be treated, it would have only twenty-one Members, or if Lanarkshire were as well treated as

Lancashire now is, it should have at least nine Members, in place of six. It is therefore, as you will see, obviously unfair to select Lancashire for comparison with Scotland as a whole. The comparison should be between the largest county in each Kingdom. But will those who speak of Lancashire let me take some of the towns in it, and compare them with towns in Scotland. Liverpool, with a population of nearly 450,000, has three Members; Manchester, with a population of 357,000, has three Members, and these will compare with Glasgow. But Blackburn, with a population of 63,000, has two Members; Bolton, with a population of 70,000, has two Members; Preston, with a population of 82,000, has two Members; Wigan, with a population of 37,000, has two Members; and Lancaster, with a population of 16,000, had two Members, which it lost from being corrupt. The county and boroughs of Lancashire got eight new Members by the Reform Act of 1867. By the Reform Act of 1832 Lancashire got new Members as follows:—Ashton, with a population of 14,035, one Member; Bolton, with a population of 19,140, one Member; Rochdale, with a population of 19,041, one Member; Warrington, with a population of 18,184, one Member; and Blackburn, with a population of 27,009, two Members. And Yorkshire got the following new Members:—Halifax, with a population of 21,555, two Members; Huddersfield, with a population of 19,035, one Member; Wakefield, with a population of 15,972, one Member; Whitby, with a population of 10,339, one Member; and Kendal, with a population of 11,577, one Member. The principle then, was to give one Member to boroughs under 20,000 inhabitants, and two Members to boroughs with over 20,000 inhabitants. If the same principle were applied to Scotland, or even if we had Members in the present proportion of the towns I have enumerated, there would be a large increase in the number of the representatives of that country. Members have been given liberally to many towns in the North of England, but the liberality stops the moment you reach the Tweed or the Solway. Let me now turn to Scotland for a few minutes. During the last Session, Darlington, with a population of 16,901, and Middlesborough, with 23,356, were created boroughs. Dundee, with a population of about 100,000, had but one Member; Aberdeen, with over 80,000, had only one Member. The Leith group of three boroughs, with a population of nearly 50,000, was represented by only one Member. He thought that nothing could be more unjust than such an arrangement, or than the manner in which Scotland had been compared with parts of England, as some Gentlemen had done. He thought they ought to take some of the larger grouped boroughs out of their groups, as was done in 1832, and constitute them separate boroughs; such, for instance, as Kilmarnock, which had a population of about 25,000; Arbroath, with a population of 19,000; and Dumfries, with a population of 15,000. Paisley, which, including two suburbs, had a population exceeding 50,000, was clearly entitled to two Members. Greenock, with the contiguous districts of Port Glasgow, and Gourock, containing together a population of about 57,000, was entitled to two Members. He would not go further into the details of how this re-distribution of seats could be best accomplished, but would content himself for the present with saying that in his opinion it ought to be done. He thought for all these reasons that the Bill ought to be largely re-modelled, and he hoped the learned Lord Advocate, who had charge of it, would consider these matters before the Bill went into Committee, and be prepared to state what concessions the Government was disposed to make. He would say a few words about the city which he had the honour to represent. He thought Edinburgh was entitled to three Members. Leeds and Birmingham had three Members, and he believed Dublin was about to get an additional Member. The Income Tax valuation under Schedule A on which Edinburgh paid was larger, than that of Leeds, Birmingham, or Dublin. Edinburgh was £1,549,000; Leeds, £804,000; Birmingham, £1,394,000; and Dublin, £1,272,000. As to direct taxes, Edinburgh paid £90,500; Leeds, £53,100; Birmingham, £81,500; and Dublin, £54,000. The total of the Customs was £22,000,000, and the Customs of Scotland amounted to £3,058,000, while those of Ireland were only £2,086,000. The Customs of Scotland amounted to one-seventh of those of the United Kingdom, while the population of Scotland was only about one-tenth of the population of the United Kingdom. The Customs of all England, excepting London and Liverpool and Bristol, amounted to £3,433,000, being little more than those of Scotland. As to special cases, the Customs paid at Leith were £480,000; at Newcastle,

£240,000; at Sunderland, £71,000; at Stockton, £79,000; at Hartlepool, £22,000; at North Shields, £30,000; at South Shields, £11,000; at Grimsby, £15,000; so that the Customs collected at Leith for the rich districts around, of which it was the port, exceeded the Customs of all the ports on the Eastern Coast which he had named. Again, the Customs at Dundee were £75,000; and at Aberdeen, £76,000. There could be no better test of the wealth and civilization of a neighbourhood than the amount of Customs collected at the port which supplied that neighbourhood with such taxed articles. At Greenock, including Port Glasgow, the Customs were nearly £1,000,000 a year, but he would not go into details respecting the Western ports. In conclusion, the hon. Gentleman expressed a hope that the hon. Member for Sheffield would not persevere with his Motion.

MR. M'LAGAN: I do not agree with the hon. Member for Dumbartonshire, with respect to the effect to be produced by the reduction of the county occupation franchise, on the contrary, I think that the county occupancy franchise should be reduced in Scotland as low as the burgh franchise. I cannot give my consent to the re-distribution scheme as proposed by the Government. The Government having decided that the numbers of the House may be increased, it makes, I think, comparatively little difference whether the additional numbers be seven or ten; but I wish to say that the Government have given no sufficient reasons for having adopted the figure 7 as their basis of operation, except that that was the number proposed by the late Government in their measure of Reform. It was not, to say the least of it, very creditable to the Government to wear the cast-off raiments of its predecessor. The late Government had good reason for fixing the number of additional members at seven, for they proposed to disfranchise the same number of small boroughs in England, and to give the vacant seats to Scotland; and they feared to imperil their measure by a larger disfranchisement. It would have been very easy for the learned Lord to have devised a new scheme of re-distribution, as the whole system of burgh representation in Scotland requires reformation. It is, I think, absurd to have towns taken from three different counties and bound together as one burgh; for often a member for one of these groups in Scotland finds himself obliged to represent antagonistic interests. The learned Lord Advocate would have added considerably to his reputation if he had grappled with the subject with a single eye to the public interests, and quite regardless of party and of the claims of the present sitting Members. But while I make these strictures on the Bill, I am not one of those who will refuse, in a churlish spirit, the offers made by the Government. I am not satisfied with the number of additional representatives offered to Scotland, nor am I satisfied with the manner in which they are offered, but my great object is to get as many Members for Scotland as possible; and, although I am adverse to any increase of the Members of this House, and would rather see them diminished than increased, and the additional Members obtained by the disfranchisement of the small boroughs in England, still that would be no consideration to the having an absolute increase of the representatives of Scotland. The question was, however, how this end was to be obtained? Two ways had been spoken of. Either by adopting the plan of the hon. Member for Montrose, which was to disfranchise some of the smaller burghs in England, or by adding to the numbers of the House. During the debate which took place upon the English Reform Bill last year, the House came to the conclusion that the re-distribution scheme, as proposed by the Government, should be taken as a settlement of the question, and I think the House will stultify themselves by attempting to disturb that settlement. I cannot support any Resolution, in the present Parliament at least, which would have the effect of disturbing the arrangement so deliberately arrived at last year. With respect to the number of Members to be given, if we cannot obtain more than seven I shall accept that number as an instalment of justice, but, in Committee, I shall vote for any reasonable Amendment which may be made by the Gentlemen opposite for giving additional Members to Scotland, and for improving the scheme of re-distribution. I shall have much pleasure in voting for the second reading of the Bill.

COLONEL SYKES presumed the hon. Member for Sheffield (Mr. Hadfield) would withdraw his Motion. He did not think he would get a single Scotch Member to vote with him. The lowering of the franchise was quite sufficient to make the Bill acceptable to the Members for Scotland. He had presented two petitions the other day from Aberdeen, praying for an addition of fifteen Members to the Scotch Representation, to which Scotland was entitled on the double ground of population and contribution to the public revenue. The petitioners prayed that non-residents in counties should not be able to vote, and landowners should have no power to make faggot votes: that the re-distribution of seats was most unjust to Scotland; and the petitioners also prayed that all the clauses relating to the increase of Members, if limited to seven, and all the clauses relating to distribution, should be struck out of the Bill. The inhabitants of Aberdeen preferred trusting to the justice of a new Parliament to accepting the small additional representation now offered to Scotland; and, seeing that ten English boroughs, each with a population of less than 5,000, and with an aggregate population of half that of Aberdeen, enjoyed representation, and sent ten Members to Parliament, the people of Aberdeen held themselves entitled to a second Member.

Mr. GRAHAM said, he trusted that the hon. Member for Sheffield would withdraw his Amendment, as the Members for Scotland would feel it to be very injurious to their interests if it were pressed to a division. He had no opposition to offer to the second reading of the Bill, though he could not allow that opportunity to pass without expressing his strong opinion that the Bill was very inadequate as to the increased amount of representation it gave, and very unsatisfactory with respect to its re-distribution scheme. They were quite satisfied with that part of the Bill which dealt with the lowering of the franchise. They were thankful to the Government for having acknowledged the justice of their claims to extended representation to some extent. They were prepared for a fair scheme of re-distribution; but they were not satisfied, that, being on the same footing with England as regarded the franchise, they should not have their fair share in the representation of the country, and that a scheme of re-distribution not sufficient for the wants of the country, but, as it seems to them, framed for party purposes, and dictated by party bias, should be offered to them. A change was proposed with respect to giving an additional Member to Glasgow, and to make it a three-cornered constituency, subject to the provision introduced last year by Lord Cairns. With regard to the offer to Glasgow of one Member only, they felt it to be wholly inadequate. They felt that two additional Members should be given to Glasgow, and that, without any interference with the municipal arrangements of the city, they should be given to Glasgow as to one constituency — or that if the constituency was to be divided, it should be divided into two separate electoral districts. With regard to the manner in which the re-distribution was proposed to be carried out, he was not about to enter into the question of three-cornered constituencies; but he thought it was utterly unjust to carry out that principle in isolated cases only. If the principle was a right one at all, it ought to be general in its application. Putting that question aside, he might say that the dissatisfaction which existed in Glasgow at the proposal, referred not so much to the principle itself as to the whole aim and spirit of the Bill, which seemed to be to place the lion's share of power in the hands of that party which—whether rightly or wrongly he could not undertake to say—was at that moment in a minority in Scotland. He hoped the Government would see the justice of giving to Scotland the increased number of representatives she was entitled to, and if the principle of the representation of minorities was insisted on in the case of Glasgow, the House would see that that representation should be given in addition to the amount of representation which was due to the large majority of the constituency. Glasgow, he contended, was entitled to three additional Members as representatives of the majority only. They had seen how much might be done to modify a proposal of this sort by what occurred last year. They had seen that sufficiently to justify them in agreeing to the second reading of the Bill. He trusted, under those circumstances, his hon. Friend would not persevere with his Amendment.

Mr. MONCREIFF said, he did not rise for the purpose of entering into a discussion as to the propriety of reading the Bill a second time. As regarded the addition to the Members of that House, his hon. Friend the Member for Montrose (Mr. Baxter) had a Motion on the Paper which would deal with it. They had not the slightest wish to interfere with the second reading; on the contrary, they were anxious to have the Bill read a second time. The matter did not require further discussion; but he wished to ask his right hon. Friend opposite whether, the Government adhered to its original proposition of granting only seven additional Members to Scotland, or whether it would be prepared on a future occasion to enlarge that number?

SIR JAMES FERGUSSON said, it was not with the object of speaking upon the principles of the Bill that he rose to address the House. He had already had an opportunity of defending the principles of the Bill, and it was due to his hon. and learned Friend's inquiry that he now rose to offer a few observations upon it. And while the House would understand he was not in a position to speak with authority, or that he was sufficiently acquainted with the intentions of the Government, he might say he believed the views of his right hon. Friend the First Minister of the Crown were explicit on the point, in stating that the number of Members he proposed to add to this House, in order to give additional representation to Scotland, was not fixed upon by any arbitrary rule, or upon any abstract number; but according to the constituencies to which, in the opinion of the Government, and the judgment of Parliament, it was desirable to give separate representation. It was therefore for hon. Members to point out towns which were entitled to separate representation, and to satisfy the House and the Government of their claims. He apprehended that the Government had never taken up the position of saying that an increase of seven Members was the utmost which they would consider. He thought it was evident that if a better scheme of re-distribution than that proposed by the Government could be set before the House by any Member, no matter on what side of the House he sat, it would receive a fair and candid consideration. It had never been said that the details of the re-distribution scheme were not open to revision. He thought the right hon. Member who had last spoken (Mr. Moncreiff) and his Colleague (Mr. M'Laren) had taken a very fair view of the case, by saying it was in the next stage of the Bill most of the subjects for discussion could most fitly be considered. He apprehended that particular constituencies to which it was proposed to give additional representation, and the proposed new constituencies were peculiarly points which ought to be discussed in Committee; and that therefore it would be altogether premature to call upon the Government now to declare whether the number seven was to be increased to eight, or to nine, or to any abstract number whatever, unless it was shown what constituencies were deserving of increased or new representation. He did not think hon. Gentlemen opposite, who like himself represented Scotch constituencies, would undervalue the claims of the country, as he, for one, certainly did not. As he did on the first reading of the Bill, he would ask hon. Gentlemen opposite to look upon the case in all its bearings. The senior Member for Edinburgh had referred to the argument that Lancashire, compared with Scotland, had a claim to as large a representation as the latter. His own view with respect to population and taxation was that they should be fully and equally considered and taken into account. But he was not thereby shut out from knowing the claims of every portion of the United Kingdom, whether counties or provinces. If it was urged on behalf of Scotland that it was entitled to a share in the representation of the country as a part of the United Kingdom, so much the more did the argument gain weight, which compared Scotland with Lancashire, or any other large county of England. He had heard it stated tonight that Lancashire possessed a population about equal to, if not in excess of, the whole population of Scotland; but Lancashire did not possess even thirty Members. It got but twenty-six by the Act of last Session. It was therefore well they should support their claims as representatives of Scotland, and support them by every argument; but they should temper their demands with moderation, and not run the risk of setting against them those who were equally entitled to consideration. He had been glad to find that no Scotch Member objected to the basis of the franchise which was proposed by the Bill. His hon. Friend the Member for Dumbartonshire (Mr. Smollett), it was true, had thrown out some dismal predictions as to the results that might be apprehended from the proposed increase of the constituencies. But if the results which were to be expected from an augmentation of the constituencies in England had not deterred the House from largely extending the franchise last year, and settling it upon a wider basis, there was every reason to look forward with confidence to what would follow in Scotland from the proposed change. He would venture to predict that, whatever the colours under which the Scotch new Members might be elected, they would be men not less intellectual, and not less worthy of the country from which they came, than those honoured names to which his hon. Friend had referred. They all knew that in Scotland education was not confined to the upper or middle classes; but it was their pride and boast that, ever since the Reformation, men of all ranks had sat side by side in the same schools and colleges, and if anything was more certain than another at present, it was that education in Scotland would not fall far short of the requirements of the day. Therefore, the men that would be called upon to vote in the new constituencies would not be ignorant of the first principles of legislation; but, on the contrary, would be men who took an interest in public questions, and had made up their minds upon them. He held, then, that those who were responsible for this measure, and to whose lot it had fallen to make this great change in the Constitution of the country, had no greater cause to fear the results in Scotland than in the southern portion of the kingdom. He felt sure that on this occasion the Amendment would not be pressed. It had not been proposed by any of the representatives of Scotland, and the only speech in its favour was made in a spirit which showed that the hon. Gentleman whose support was given to it was influenced more by the manner in which his own particular constituency was affected by the re-distribution scheme than by any objections to the other portions of the measure. It would be a cause of disappointment and regret from one end of Scotland to the other if a measure of so large and generous a character should be met in any but a frank and cordial spirit.

Mr. CRUM-EWING joined in the appeal of the hon. Member for Edinburgh that the hon. Gentleman (Mr. Hadfield) would not press his Amendment. He agreed with all that had been said in approval of the extension of the franchise; for he had none of that fear by which the hon. Member for Dumbartonshire seemed to be possessed, but as for the re-distribution scheme, he thought it as bad as bad could be. However, that was a question rather for Committee than for the present stage of the Bill. He wished also to express a hope that the rating clauses would not be insisted on. They were not suited for Scotland.

Mr. REARDEN said, if the representation of Scotland was to be increased, the claim of Ireland to an increase was much greater. On this subject he would read an extract from a speech of Mr. O'Connell on the insufficiency of the representation of Ireland. ["Order, order!"]

Mr. SPEAKER: I do not see the connection between the observations of the hon. Gentleman and the subject now before the House.

Mr. REARDEN: The Bill proposes to increase the number of Members for Scotland, and I wish to prove that Ireland is entitled to an increase.

Mr. SPEAKER: I must inform the hon. Member that he is not in order.

Mr. REARDEN said, he would then speak to the main principle of the Bill. He did not think that an increase of Members should be given to Scotland at the expense of Great Britain. He should certainly oppose the Bill in all its stages, and support the Amendment.

Mr. DARBY GRIFFITH said, that the Under Secretary for the Home Department (Sir James Fergusson) had, in ordinary language, let the cat out of the bag. He had acknowledged in the absence of his Chief that the Government were on this, as on other occasions, made of squeezable materials, and that the Scotch Members had only to raise their voices loud enough to get ten, fifteen, or even twenty additional Members, according to their means of pressing upon the Government. This precisely confirmed what he had all along expected. The First Lord of the Treasury last year was very mysterious on this subject, and at last he took refuge in the dispensations of Providence, and appeared to expect that seats would be sent down to them from the superior regions. His objection to the Bill was that it implied more than it expressed. He contended that the Bill ought to contain a clause directly stating the intention of the Government to increase the number of Members in the House of Commons. As it was, it could not be expected that they would resist the same kind of pressure that would be brought to bear upon them from other quarters. They had already been reminded that Ireland would put in its claim for increased representation; and the Irish had a peculiar manner of pressing their claims. The Scotch Members were comparatively orderly and well conducted—they were not revolutionary. They met quietly in the Tea-room and arranged their little matters among themselves; but the Irish Members approached the Minister in a much more termagant and hostile manner; and, on the eve of a division, they intimated that their votes would depend on what the Minister would do for Ireland. The idea of increasing the Members in the House was singularly inopportune at the present time, when a Committee was sitting to consider how the House could be enlarged, as it would not accommodate the existing number of Members. The fairer course would be to let the country know the exact nature of the proposition. It was one which was not avowed in the Bill; but it appeared to be a part of those admirable tactics, and of that extreme strategy of which they had heard so much, but was totally opposed to that honest and independent spirit in which a country like this ought to be governed.

MR. LAING said, he did not wish to detain the House, but as a discussion of an extraordinary character had occurred, he thought it was right that the House should know something of the real state of feeling in Scotland regarding the Bill. He had had some opportunity of forming an opinion, and the result seemed to come to this: there were certain parties in Scotland entirely opposed to the Bill. In the first place there were the regular old party Whigs, who opposed the measure, because they thought it would embarrass the Government to throw out the measure, which was the principal of the present Session; and that if Scotland were left with this grievance unredressed, they would get the Scotch vote with them in the ensuing General Election. There were also the extreme Radicals, with whom Radical interest was national feeling, and who wished to keep the question open. They had certain Motions for re-opening the great question of re-distribution of seats on an early occasion, not with reference to Scotland only, but to the United Kingdom. But, so far as he could learn among the really moderate independent Liberals of Scotland, there was a great disposition to accept the present Bill, provided the claims of Scotland to additional representation were recognized. They were not asking for twenty-five or thirty Members, to which they were entitled according to the statistical Returns; but they felt that compromises had always to be made in those cases, and thought about ten Members would be a fair number. He thought an addition of ten being conceded, the re-distribution being provided in a satisfactory manner, and security being given in the Bill against the creation of fictitious votes in counties, that, according to communications that had reached him, the great majority of the moderate independent Liberals in Scotland would readily support the Bill on those conditions. He sincerely hoped that, in the time that must elapse before the Bill got into Committee, Her Majesty's Government would see their way to meet the very reasonable demands to which he had adverted. He thought it would be a misfortune both for Scotland and generally for the country, that an opportunity should be lost of settling the question in the present Session on a satisfactory footing. He was unwilling, as a Scotchman, to fall to the ground between two stools, and not get even an instalment for Scotland of additional representation. He did not wish that a Scotch grievance, like the Irish grievance, should be left open merely for party purposes, and he entirely deprecated such a result as that shadowed forth by the hon. Member for Dumbarton. The most desirable course was that the Government should consider well what were the fair claims of Scotland in that matter, and between now and going into Committee, should be prepared to come forward with some plan to meet those claims, so that the great majority of the moderate independent Liberals could support the measure with a feeling of gratitude towards Her Majesty's Ministers for having met them in a liberal spirit.

MR. ELLICE said, he did not intend to embarrass the discussion by addressing the House; but after the speech which his hon. Friend the Member for Wick had just made, he should not be doing justice to himself, or to a large acquaintance among all classes of society in Scotland, if he did not state that his experience was diametrically opposed to that of the hon. Member for Wick. He did not mean to say that Scotland was indifferent to the passing of that measure. On the contrary, he thought Scotland hailed any measure that promised a good and legitimate settlement of the question. On the other hand, he could state that Scotland would not be bribed by any such consideration as that referred to by the hon. Member for Wick to accept the provisions the Bill contained. There were in it evils—evils that they could not take at any price. He, for one, wanted to see the question of Reform settled. He thought it was very mischievous that the question should be left open for discussion year after year. He was not one of those who wished to keep the question open for discussion in the new Parliament—he wanted to see it settled now. But if it came to be a question, whether they were to accept the re-distribution of seats as proposed in the Bill, and the franchise settled upon a rating of the country which would land them in no end of confusion, he, for one, would pair off the additional Members with those clauses and take his chance for proper arrangements in these respects with the new Parliament. That he believed, so far as his experience went, to be the prevalent feeling in Scotland. On the other hand, he must say that what he heard from the right hon. Gentleman at the head of the Government last year, and from his speeches made when the Bill was introduced, he was not without hopes that the right hon. Gentleman would approach the discussion of these matters in Committee in a spirit of fairness and conciliation. He had no right to suppose that he would do otherwise. He had heard no sound from him that indicated his determination to push the Bill through as it stood; and he therefore on the present occasion merely protested against the statement that Scotland was prepared to take the Bill as it was. He hoped that, when the proper time came for discussion on the measure, the right hon. Gentleman would meet their demand in a spirit of fairness and conciliation, and would consider those clauses with regard to distribution in a way that would remove all suspicion of their being proposed with a view to promote any particular party interest. As regarded the other questions of how additional Members were to be found, whether by adding to that House or taking from small seats in England, he might have his individual opinion hat small seats would be far better abolished; but, as a Scotch Member, he thought that was a question for the House itself to settle. He should take willingly and thankfully what the House would give in the shape of additional Members, provided he did not pay a price which he thought unjust.

Mr. KINNAIRD said, he had no intention of taking part in the debate; but having heard the speech of the hon. Member for Wick he could only say that he had heard his hon. Friend with the greatest surprise. Where those communications to which he referred came from he was at a loss to imagine; and he entirely concurred with his hon. Friend who had just sat down that they did not express the feelings of a very large proportion of the people of Scotland.

Mr. CRAUFURD said, he must also protest against the statement made by his hon. Friend the Member for Wick. He

received the other day a copy of the *Dundee Advertiser*, and in it he observed two things —one an extract from a letter of his hon. Friend, and the other a strong article supporting the view of his hon. Friend. That was the only instance they had had of the expression of an opinion in Scotland in his support. His hon. Friend having committed himself by his advice to his constituents endeavoured to keep that up by an article in a paper which, for the first time in its history, travelled out of the true Radical line of insisting on justice to Scotland. He thought the House would not be inclined to give much weight to that, but would listen to the opinions of those who would be on a division unanimous in claiming their rights in the way that they ought to have them; and if they could not get them in that way, would absolutely refuse to have them.

Mr. HADFIELD said, he should not on that occasion press his Amendment, but would reserve to himself the right at some future stage to object to adding to the number of Members of the House.

The LORD ADVOCATE: The measure does not at its present stage require that I should say much in reference to it; but one or two points have been mooted in the course of the discussion, upon which I wish to make a few observations, in order to prevent any misapprehension being entertained with regard to this Bill. The hon. Member for Edinburgh (Mr. M'Laren) said, that the Bill contained clauses affecting the payment of rates which were not introduced in the Bill of 1832. The change in this respect, however, has not been proposed without good reason. My hon. Friend will recollect that in 1832 poor rates were levied in but few parishes in Scotland; and, in fact, there was then no general or uniform system of rating for the relief of the poor. At present, however, in about 700 out of 800 parishes of Scotland poor rates are levied as in England, with this exception that the half of them are paid by the tenants and the other half by the proprietors. It has been said that the Bill of 1832 provided that the occupiers should pay the taxes due in respect of the premises; but that this condition was removed by a subsequent statute. The right hon. and learned Member for Edinburgh (Mr. Moncreiff) made a mistake in this respect. The Act to which he referred on a former occasion is the 19 & 20 *Vict.*, c. 58, and it is entitled "An Act to Amend the Law for the Registrations of Persons entitled to Vote in the

Election of Members to serve in Parliament for Burghs in Scotland." By the 33rd section of that Act it is enacted—

> "That all Provisions of the first recited Act as to any Payments thereby required to be made in Burghs by any Persons claiming to be registered or to vote, or objecting to the Claims of Persons claiming to be registered or to vote for any Burgh are hereby repealed."

It was a clause to remove the burden of the payments of fees from those who wished to be registered, or desired to offer objections to others being registered. A clause for the purpose of altering the qualification would have been out of place, inasmuch as the Act had reference solely to registration.

MR. MONCREIFF: The clause with reference to the payment of assessed taxes was in 1832, and that I said was practically in abeyance, because it was never observed.

THE LORD ADVOCATE: I was going to refer to that. I was not resting it upon my own construction of the clause of 19 & 20 *Vict.*; but I have referred to the gentlemen who are in charge of the registration of voters in Edinburgh and Glasgow; and they say that the condition is still observed, and they require that the parties pay their taxes, so that the rule is this—all those above £10 pay the assessed taxes. And now comes the question, when we are establishing a new franchise, whether those below £10 should pay their rates? Is there anything unreasonable that those who are to exercise the franchise as occupiers under £10 should pay those poor rates which are due, such rate only amounting to half of the whole rate as paid in England. The question does not in any way affect the occupiers above £10, because the principle of the Bill is, I think, under section 40—that what is done by the Bill is in addition to, and not in substitution for, any previous franchises, these last being left on the old footing. Those Members especially who express some alarm about the increase of the representation ought to have no objection to the payment of rates being made a condition of the right of voting. So much, then, with respect to the payment of rates. Then comes the question of distribution, which is purely a question for the Committee; and that being so, I shall not now go into it at any great length. But I may say that the principle of the Bill is an extension of the franchise and increase in the number of Members representing Scotland. It is most difficult to deal with such a question as this, because Scotchmen naturally feel desirous that the claims of Scotland should be recognized to a greater extent than they are by this Bill. But when I am dealing with this question I must take into consideration the fact that those prejudices which as a Scotchman I must share in will clash with the prejudices of both English and Irish Members. These hon. Gentlemen must excuse me for using the term, because I, as a Scotchman, have prejudices in favour of our country, and I have no doubt that Englishmen and Irishmen feel the same. The hon. Member for Edinburgh (Mr. M'Laren) by a comparison of the revenue and population of Scotland with the revenue and population of other parts of the kingdom, arrives at the conclusion that Scotland is entitled to an addition of twenty-five Members. But how are they to be obtained? By taking thirteen from England and twelve from Ireland? Propositions for taking away Members from England have certainly been placed on the Paper; but I have not seen any proposition for taking away Members from Ireland, although the principle applies equally to both countries. The House will therefore, I think, see the difficulty which anyone dealing with this question has to encounter. If it should be said that there are some small boroughs in England that might be sacrificed, is it to be forgotten that there are small boroughs in Ireland also, although disfranchisement of these has not been proposed? What is the reason of this? It is that my compatriots feel that there is much difficulty in dealing with this question. But then we are asked, why we have selected seven as the number of additional Members to be given by the Bill. In 1852 we had no proposition at all made for the increase of Scotch Members. In 1854 and in 1859 no Scotch Bill was introduced, and in 1860 it was proposed to make an addition of two Members. In 1866 the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) said that he had, after very mature consideration, and after well weighing the circumstances of the case, adopted this number; so that I do not see how the present Ministry have fairly exposed themselves to the severe observations which have been made during the course of this debate. Indeed, our proposition was originally made in 1867, or just one year after the proposition of the right hon. Member for South Lancashire. Now, with reference to the principle of distribution. There are many principles which may be adopted; and hon. Members, advocating their own local interests, see that which is immediately before them, and forget to look beyond these —they forget that there are other interests to be consulted. Accordingly, my hon. and gallant Friend the Member for Aberdeen (Colonel Sykes) who always stands up for the rights of that ancient city, now asserts its claim to an additional Member. But by the Census of 1861 the population of Aberdeen was 75,000, and it is not proposed to give an additional Member to Aberdeen county, which has a population of 140,000 or 150,000. [Colonel SYKES: I did not say so.] But it is said that we are taking so many towns out of the counties. I am exceedingly anxious that this matter should be attended to and investigated. I knew well that we could not make any proposition in this House, where the Scotch Members on this side of the House bear the proportion of one to five or six, unless the proposition would bear the test of argument. Well, now, I ask the House to keep this fact in view. What was done in 1832—the classic times of Reform—when we, at all events in Scotland, were taught the rudiments of this question? There was an addition then made of eleven boroughs, all of which possessed populations as low as 6,000, some of them possessing very little more than 2,000 inhabitants. That was the precedent before us in framing this Bill. Was there, therefore, anything improper in selecting those towns which had increased since 1832, and which are likely to increase in subsequent years? We are now adjusting a scheme which, it is to be hoped, will last a considerable time? One of these towns in Lanarkshire possesses 22,000 inhabitants, and yet it has been called a village. It has been said, too, that our proposals have been made with a view to party ends. If the proposals were made solely for party purposes, such a course would undoubtedly be wrong; but do not, because they apparently tend to affect in some way the interests to which you are attached, at once reject the scheme. We are, to a moderate extent, following the precedent of 1832, and I humbly venture to think that the more our proposal is considered, the more readily will its equitable character be acknowledged; although it may tend in some way, as all changes undoubtedly must, to affect one or other of the great parties in the State. I do not know that I need advert to anything further, except to express my regret that my hon. Friend the Member for Dumbartonshire (Mr. Smollett)—who, if he has not inherited the acres of his literary ancestor, lays claim to no inconsiderable share of his wit, and who, like Diogenes, has been unsuccessful in his search for some one in whom he can repose confidence—should have taken so gloomy and unhappy a view of this Bill. He alluded to the ten-pounders of Glasgow as having done ill in rejecting Mr. Dennistoun, and selecting some one whom he regarded with less favour. It seems, therefore, that the older voters occasionally make mistakes; and in support of this view he might also have alluded to the rejection of Mr. Macaulay by his former constituency of Edinburgh. I venture, however, to say that I have great confidence in the loyalty and good feeling of the working classes, and I do not think that any danger need be apprehended from the power which will accrue to them under the present Bill. I do not believe that trades unions will exercise that power and influence which some Members appear to dread; and I believe that the atrocities which have occurred in isolated instances, are repudiated by the majority, not only of the working classes, but of those who are members of trades unions; bodies which in themselves are perfectly legitimate as long as they are disconnected from those atrocities which, unfortunately, have in some instances been committed. I will not, at this stage of the Bill, detain the House with any further remarks.

MR. SERJEANT GASELEE said, he was unwilling that the debate should close without his having entered his protest against the assumption of the hon. Member for Wick to represent the opinion of the Radicals. They did not acknowledge the hon. Member as one of them; and he (Mr. Serjeant Gaselee) dared say that if the hon. Member would express his own opinions they would be entirely different from theirs. He (Mr. Serjeant Gaselee) believed that Her Majesty's Government were on the wrong tack. He recognized no difference between England, Scotland, and Ireland, in the treatment of this question, and thought that one Bill should have been introduced for the three Kingdoms. Ministers had made that great mistake, which they never would recover, of rejecting his Motion of last year for the disfranchising of small boroughs. He believed that the first act of the Reformed Parliament would be to revoke that vote, and to do justice not only to Scotland and England, but to Ireland also. These rotten boroughs, which represented nobody and held no opinions, were a foul disgrace to the country. He had some doubt as to whether they should increase the representation of Scotland, but rather thought that the whole representation of the United Kingdom should be massed into one body, taking from the rotten boroughs whatever new seats were required without reference to locality, and giving them to the larger boroughs which were unrepresented. We ought to be, we were, a United Kingdom, but the effect of this Bill would be to create dissension. At all events he did not think they should strengthen Scotch representation at the expense of England alone, but should abolish rotten boroughs even in Ireland with their eighty-eight voters. He repeated, that what Ministers ought to have done was to have brought in the Reform Bill for the United Kingdom, abolishing the small boroughs in all parts of it without distinction, and giving representatives to places which were entitled to them by their population, their wealth, and their intelligence.

Amendment, by leave, *withdrawn.*

Main Question, put, and *agreed to.*

Bill read a second time, and *committed* for *Monday,* 23rd March.

SEA FISHERIES BILL.

(*Mr. Stephen Cave, Mr. Edward Egerton, Mr. Shaw Lefevre.*)

[BILL 42.] COMMITTEE.

Order for Committee read.

MR. MILNER GIBSON said, the Bill was for the purpose of carrying into effect a Convention between England and France in reference to the fisheries in the seas adjoining the two countries; and it appeared to him that the international Commission upon whose recommendation the Convention was founded had done good service. In its main provisions the Convention would be beneficial to the fishermen both of England and France, and in all respects it was a great improvement upon the existing state of things. At the present time by the law of England no fish might be imported into the United Kingdom in a foreign fishing vessel, but only in a merchant vessel, as ordinary merchandize, and in a vessel which had cleared out from some foreign port. Although by our tariff fish was free from duty, yet the prohibition to the foreign fisherman to enter a British port in his own boat for the purpose of landing and selling his fish was almost as effective a prevention of free trade as if there were a prohibitory duty. But there was an exception to this rule. Four kinds of fish—namely, anchovies, eels, turbots, and lobsters—might be imported in a foreign fishing vessel. If foreign fishing vessels were to be admitted by law to bring these more expensive kinds of fish into the ports of the United Kingdom, he could not see why they should not be allowed also freely to import the lower descriptions of fish, which constituted a description of food very much in demand amongst the population of the country. In fact, this was a question of the supply of food. Under the Convention which had been recently concluded, it was proposed by Article 31 that the fishing boats of each country should be enabled to sell their fish in certain designated ports of the other country; but unfortunately there was another article, to the effect that that arrangement was to be suspended until the two contracting parties should have come to a further understanding on the subject. They were, therefore, exactly where they were before. He was at a loss to know why any further understanding was necessary. It was obvious, so far as the commerce of this country was concerned, that it was desirable and in conformity with our commercial policy that we should permit the fishing boats of foreign countries to enter our ports for the purpose of landing and selling their fish. The right hon. Gentleman who had charge of the Bill (Mr. Stephen Cave) had, as he understood, said something the other night about a Customs duty on fish imported into France, and about waiting before they granted the permission to French fishing boats to enter our ports until the French Government had completely repealed their Customs duty upon foreign fish. But the consumers of this country had nothing to do with the French Customs duties. What they wanted was the largest possible supply and the freest competition, in full confidence that that was the truest principle for the interests of this country. He was prepared to admit that if the French Government were disposed to repeal or reduce their Customs duty upon fish imported into France, that would be a very advantageous thing for the French consumers, and that it would be beneficial to English fishermen; but it was a mistake to suppose that even the present duty, high as it was, was prohibitory altogether of a trade being carried on between our fishermen and French consumers. A year or two since the French Government, by way of experiment, opened their ports freely to our fishermen, and large numbers took advantage of the privilege. The fish we imported were shell fish, and principally oysters, but there was a duty upon them, and in spite of the duty the English fishermen carried on a very profitable trade, till the French Government, finding that we did not reciprocate, closed their ports again, and now there was a mutual expulsion of fishing-boats. It was wholly unworthy of the two nations to be treating each other's fishermen as if they were infected with a plague. It frequently happened that from the state of the weather a French boat with a full cargo of fresh fish could much more easily reach an English than a French port, and it would be monstrous in the present day to see a large quantity of valuable food actually destroyed because, according to the law of England, it could not be sold here. The main provisions of the treaty had been arranged upon most beneficial terms to both countries, and he was at a loss to understand why the operation of the valuable Article to which he alluded should be deferred. He also thought that our Customs authorities had not been very generous in the number of ports into which it was proposed that foreign fishermen should be allowed to bring their fish, seeing that the French Government had proposed to open nearly all their ports. He was aware that the difficulties were great with reference to the protection of the Customs revenue; but France had also a most elaborate system of Customs duties to defend. It was far from his wish to offer any opposition to the Bill; his object was rather to press upon the Government the expediency of immediately carrying into effect the provisions of the treaty.

Mr. STEPHEN CAVE thanked the right hon. Gentleman for his general support of the measure. The postponement of the admission of French fishing boats into this country for the present was very fully considered by the Commissioners. He did not deny that, strictly speaking, as a question of Free Trade it was of no consequence to us what duties France imposed in her own country, and that we ought not on that account, if we wanted their fish, to hesitate to admit them duty free, and to give them every facility. It was a matter of no consequence to English consumers whether the duty on fish in French ports was heavy or light, whether there was any duty or none; and if the Commissioners had only had the interest of that class to consider when they entered into these negotiations, they would, no doubt, have been quite ready to have admitted immediately French fishing boats to sell their fish at all times and places. But they had also to consider the interests of the fishermen themselves, who, when they went to a French port to sell their fish, which they would consider they were allowed to do in return for Frenchmen being admitted to our ports, would have found themselves saddled with a very considerable duty, from which the French were exempt. It was quite true that when the French admitted English boats with oysters to enter their ports—simply because they were very much in want of oysters—our fishermen competed with the French fishermen, but at that time, as he believed, the oysters brought in by English boats were not subject to any higher duty than those brought in by French boats. Whether that was so or not, the duty was levied in a different way, and it was so much less in proportion to price than the duty upon common fish, that our fishermen did not feel the unfair competition they might otherwise have done. What was pressed upon the Commission was that our fishermen, on going into French ports with common fish, which French fishermen took in free, would find the duty press so heavily that they would have to sell at an unremunerative price or even to wait for a market until the French fish was sold. The English fishermen were not such enlightened politicians as the right hon. Gentleman, and they might not be able to understand that they ought to submit to this unfortunate disadvantage, in order to carry out the principles of Free Trade, and it was feared that when the French fishermen came here, a feeling of hostility might arise against them, and that the police regulations prescribed in the Act might have to be put into operation to prevent a breach of the peace. The French Commissioners also intimated that if they could come to an arrangement under which the carrying these provisions into effect was made to depend upon an agreement between the two countries, with respect to duties, it would have a very beneficial effect upon their fishermen in inducing them to acquiesce in the reduction or abolition of these duties. They found that the French Commissioners were extremely anxious to do away with the duty altogether, but they were afraid of the feelings of their maritime population. It was perfectly well known that when, by stress of weather, French fishermen were driven into ports, they were allowed to sell a portion of their fish for food and for their immediate maintenance. [Mr. MILNER GIBSON: What becomes of the rest?] As a matter of fact, they sold it. [Mr. MILNER GIBSON: Then the law is not enforced.] Of course not: it was difficult to draw the line. No one could be more ready than himself to admit the absurdity of preventing fishermen from going into that port into which the wind took them. He was as anxious as the right hon. Gentleman opposite to see this additional Article entirely inoperative, and he hoped, in a short time, that they would see their way, either by the concession which the French might make to them, or by waiving the question of duty on the part of this country, to a flourishing trade on both sides of the Channel. He quite agreed that as compared with the French list, our list of open ports was comparatively small; but our Customs authorities had told them that looking to the safety of the revenue, only such ports could be opened as had sufficient Customs authorities to protect the revenue; otherwise the French fishermen would come with a certain amount of fish, but a good deal more of tobacco and brandy. True, the French too had an elaborate system of Customs duties, but they had also an elaborate system of surveillance, and they could therefore with safety open more ports than we could. He did not, however, see why the Customs authorities should not, after a little while, give them an additional list of ports. The list might be considered provisional, for the 31st Article of the Convention contained these words, "Without prejudice to the opening by either country of any additional ports." What he had said, would, he thought, answer the petition presented by the hon. Member for Hastings (Mr. Waldegrave-Leslie). The reason why Hastings was left out, was that Hastings had been deprived of a Custom House, and of course it would not be deemed desirable to admit French fish into ports that were not looked after by Customs authorities. There was no reason whatever for excluding Hastings or any other port, beyond the obvious motive of desiring to protect the revenue. Ultimately, he had no doubt, it would be added to the list.

MR. SHAW-LEFEVRE said, the Commission of which he had been a member endeavoured to induce the French Commissioners to waive altogether the very heavy duty on English fish. The French Commissioners, however, were not prepared for such a step, although they expressed themselves favourable to a reduction of the duty from 10f. the 100 kilogrammes to 5f.

MR. STEPHEN CAVE intimated that the reduction had actually been made.

MR. SHAW-LEFEVRE said, the reduced duty might appear very moderate; but, as affecting a low class of fish, it really became very heavy. Unless a boat could sell its entire cargo, it would be useless to enter a French port; and it was only with a first-class cargo that it would pay, under present circumstances, to run into a French port. Under pretence of stress of weather, however, French fishing boats even now find their way into our harbours, and there sell their fish, and he did not see why our fishermen should not have the power, in return, of going into French ports. For these reasons he felt inclined to advise his right hon. Friend opposite to allow the Convention to come into immediate operation. In course of time it was to be hoped that the influence of Free-trade doctrines would induce the French to abolish the duty which they now levied; but upon this point he did not feel sanguine as to immediate changes, for Free-trade doctrines seemed hardly to possess the same weight at present in France as they did a few years ago. He hardly anticipated any great results from the procedure laid down by the Convention with regard to the punishment of offences. All regulations as to the size of nets and modes of fishing were done away with, and the new Convention had reference solely to police regulations. In the case of a conflict taking place between French and English boats off the English coast, what was proposed was that an English man-of-war should have the power of bringing the French boat into an English port, where the depositions would be taken and sent on to the Consul of the port to which the French fishing vessel belonged. There the owner of the French boat might be summoned before the magistrates of his own country, and if the offence were proved, might be dealt with in manner provided. But such a circuitous proceeding was certain in the end to come to nothing. Under the old Convention he did not believe that any punishments had ever been inflicted for offences committed at sea, and he supposed the result would be similar in the present case. Until the two countries could trust each other's tribunals to administer justice impartially between the litigants, nothing effectual would ever be done. This point the Commissioners had not authority from the Board of Trade openly to discuss; but some private conversation took place with the French Commissioners, and it was found that they were quite indisposed at present to entertain the matter. The reason they assigned for their unwillingness was, that they could not for a moment believe that the French magistrates would do justice to English fishermen in their ports, and therefore they could not suppose that an English magistrate would do justice to French fishermen. As long as people had so little confidence in each other's administration of justice, he feared there was little chance that international police regulations would work smoothly.

Mr. WALDEGRAVE-LESLIE called attention to the wording of the Convention, and said, there were only thirty-five places in England where, in accordance with its terms, fish could be landed, as against 180 in France. Folkestone was not a fishing but a steamboat station, and between there and Newhaven, which was partly a fishing and partly a steamboat port, there was not a single place in the entire distance of sixty-five miles where the provisions of the Act would be of the slightest benefit in the way of bringing in French vessels. Last year, in a fit of economy, the Custom House at Hastings was done away with, and thereby the benefits of this Convention would be lost to Hastings, although it had a larger fishing trade than Dover, Newhaven, and Shoreham put together, every one of which places was named in the Convention. In south-west winds it was impossible for French fishing boats to get back to France, and he wanted to know what difficulties there would be in the way of allowing the fish to be landed. The people of Hastings approved of the principle of the Bill, but, not without reason, hoped that their port would be included in it. It was thought rather hard that merely because the Custom House had been abolished, Hastings should be left out of the Bill. There was a large Coast Guard station, comprising some thirty or forty men, employed within five miles of Hastings, and he could bear testimony to the vigilance exercised by these men over all boats that approached the shore. According to the right hon. Gentleman's view, smuggling might be carried on with impunity at Hastings, if foreign fishing boats were allowed to land their cargoes. But he could only say, from what he knew of the Coast Guard there, grant them the powers which were formerly delegated to Custom House officers, and then let anybody smuggle if he could.

Captain MACKINNON said, the locality which he represented lay very near Dungeness, where, as some hon. Members possibly had noticed, there was a very uncomfortable meeting of the tidal waves. For a distance of nearly sixty miles on this part of the coast, no port was named in the Convention ; whereas Rye lay in the most advantageous position, and if chosen for that purpose would form an admirable landing point.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 5 *agreed to.*

Clause 6 (Confirmation of Convention.)

Mr. WALDEGRAVE-LESLIE asked, whether the Vice-President of the Board of Trade would include Hastings within the provisions of the Bill?

Mr. STEPHEN CAVE repeated the assurance he had already given, that there would be no hesitation about including the port of Hastings, as soon as measures could be taken to insure that tobacco and brandy would not be landed from the boats instead of fish.

Clause *agreed to.*

Clauses 7 to 26, inclusive, *agreed to.*

Clause 27 (Application.)

Mr. BLAKE said, that, without wishing to obstruct the passing of the Bill, he thought the portion of it referring to the oyster fisheries ought not to be proceeded with to-night. Some of the Irish Members were of opinion that the Irish oyster fisheries would be injuriously affected by the Bill if it passed in its present shape. A Return had been ordered which would afford additional information on the point, and a case had been submitted to counsel on which no opinion had as yet been given. He therefore suggested that the part of the Bill relating to the oyster fisheries should be postponed for a few days.

Mr. STEPHEN CAVE said, he was afraid that he could not accede to the wish of the hon. Gentleman, as it was necessary that the measure should be proceeded with without delay. He could assure the hon. Member that Ireland was expressly excepted from that part of the Convention and the present Bill which dealt with oyster fisheries. He proposed that the Committee on the Bill should be taken on Thursday next, and in the meantime he should be glad to receive any suggestion respecting the manner in which Ireland might be more completely excepted from the operation of the measure than it was as the Bill now stood.

MR. BLAKE expressed a hope that the Committee would be postponed two or three days beyond the period named by the right hon. Gentleman, in order that communications might be made to those persons in Ireland who were greatly interested in this matter. He was afraid that if the Bill passed in its present form the French would go and fish out of season at the oyster banks off the Irish coasts, and he thought those oyster banks should be protected the same as if they were in the English Channel.

MR. STEPHEN CAVE said, that if the hon. Member would compare the two Conventions he would find that the Commissioners had diminished the protection to the English Channel. They would have done away with it altogether, if the French had consented. They were sent to Paris to abrogate existing restrictions, not to impose new ones.

MR. SHAW-LEFEVRE said, that the Irish Channel and the fisheries to which the hon. Member had referred, would remain precisely in the same condition as before the Convention and the Bill. For himself, he wished the close time to be done away with altogether, but the French Commissioners would not agree to this proposal. There was, however, no probability of the French going to fish upon the Irish coast.

MR. BLAKE said, that the French fishermen went to Jersey, and were getting very near the Irish coast. He wished to protect the banks in question from the Irish fishermen themselves.

Clause *postponed.*

Remaining Clauses *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

METROPOLIS SUBWAYS BILL.

(*Mr. Ayrton, Mr. Tite, Colonel Hogg.*)

[BILL 41.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Ayrton.*)

MR. PAULL explained that the Bill was a reprint of the measure that was before the Committee last Session. The provisions being in accordance with the Amendments made by the Committee, he was not, as a Member of the Committee, in a position to move its rejection, but he knew it was not acceptable to those whose interests it affected—namely, the gas and water companies. Therefore, if the Bill was now allowed to be read the second time without objection, that should be done without prejudice to the claim of the companies to have it sent before a Select Committee, if that course were deemed necessary, for the protection of their interests. The metropolitan water and gas companies opposed the measure on the ground that they were already in possession of powers which enabled them to lay their pipes in the public ways without cost. They also felt a sense of security in having the pipes underground, because, if an escape of gas took place, it would be lost in the ground, and an explosion could not occur. They therefore said they should not be asked to occupy subways in which explosions might occur, and to pay rent for accommodation they did not wish for. The Committee felt there was a great force in that argument, but Parliament gave power to the Board of Works to construct a subway three-quarters of a mile in the new street in Southwark. It was proposed to give protection to the companies, and to allow a fair experiment to be made; and a condition was introduced into the Bill that the companies should not be called upon for rent, or to pay for the transfer of their pipes from the ground which they occupied. If new pipes were to be laid down, it was to be a subject for arbitration, what proportions the companies and Board of Works should pay. The Committee sought to introduce such provisions as would ensure adequate ventilation and supervision. The subway in the new street in Southwark was the model subway, but he understood it had been flooded more than once during the late winter. The gratings in the street had to be taken up before the deposit left was cleared out, evidently showing that it was not so easy a matter as represented to keep these subways clear from water and mud. He had passed over the gratings, and found that the spaces between them were entirely filled up with mud, through which he could poke holes with his stick, and from the spaces being so filled up it was clear that ventilation could not be secured. He had visited the subway in Paris, ten or twelve feet from the base to the crown, and ten or twelve feet wide. Its area was seven times as great as that of the model subway in the new street in Southwark. It was lighted by moderator lamps, and the only pipes in the subway were water pipes and some telegraph pipes; but in spite of all the precautions, and though the masonry was of the best description, there was an accumulation of gas, which exploded when a workman was painting a water pipe, and the man was seriously injured. The House ought, therefore, to pause before throwing on the companies the responsibility which would attach to them if they were forced to make use of subways over which they could have no control.

Mr. AYRTON said, as he understood his hon. Friend did not intend to oppose the second reading of the Bill, he saw no advantage in re-opening the question, which was discussed before the Select Committee. The whole Committee differed from his hon. Friend, and decided that in the interests of the public these subways were very desirable. His hon. Friend had made the discovery that in the French subways an explosion of gas took place in consequence of want of ventilation. In the London subways, however, precautions would be taken to prevent any explosion.

Mr. R. W. DUFF, as a Member of the Subways Committee, expressed his opinion that the improvement proposed was an extremely desirable one. Experiments had been made which showed that an explosion was almost impossible; and no argument upon this matter could be drawn from the French subways, which were ventilated upon an entirely different principle to our own.

Colonel HOGG, though a member of the Board of Works, had never heard of any report as to the flooding of the new subway, and therefore he supposed that the affair must have been an unimportant one. He agreed that there was no analogy to be drawn from the French subways as bearing upon our own. Our subways were thoroughly well ventilated, and were thus secure against explosion.

Mr. REMINGTON MILLS thought that the companies should be guaranteed against loss if they were forced against their will to lay their pipes in these subways.

Motion *agreed to.*

Bill read a second time, and *committed* for Wednesday, 22nd April.

RAILWAYS AND JOINT-STOCK COMPANIES.

LEAVE. FIRST READING.

Sir WILLIAM HUTT, in moving for leave to bring in a Bill for the better regulation and supervision by the Board of Trade of the accounts of Railway and other Joint Stock Companies, explained that it was the same measure as was introduced and read a second time last Session.

Mr. STEPHEN CAVE said, that he should of course offer no opposition, but he thought it well to inform his right hon. Friend that clauses had been introduced into the Railway Regulation Bill of the Board of Trade, which he would perhaps think, when he saw them, went as far as was practicable in the direction contemplated by his measure.

Motion *agreed to.*

Bill for the better regulation and the supervision by the Board of Trade of the Accounts of Railway and other Joint Stock Companies, *ordered* to be brought in by Sir William Hutt and Mr. Ellice.

Bill *presented,* and read the first time. [Bill 53.]

OYSTER AND MUSSEL FISHERIES BILL.

LEAVE. FIRST READING.

Mr. STEPHEN CAVE, in moving for leave to bring in a Bill for the purpose of confirming certain Orders made by the Board of Trade under "The Oyster and Mussel Fisheries Act, 1866," relating to the Rivers Blackwater (Essex) and Hamble, said, as these were the first Orders made under that Act, it might, perhaps, be proper that he should shortly explain the principles which had guided them in granting these Orders and declining to grant others. The Act was passed, as the House knew, in consequence of the increasing scarcity of oysters, with a view to the encouragement of private enterprize in the formation of oyster beds. The administration of the rights of the Crown in the foreshore having been transferred from the Office of Woods to the Board of Trade, they were enabled to grant leases of sea bed to companies or individuals for this purpose, for not more than sixty years. When an application was made they required, in the first place, accurate and precise information as to the area of the proposed fishery, the existing condition of the ground, the capital proposed to be expended upon it, and other particulars of a similar character. Should a *primâ facie* case be established, a draft Order was transmitted to the Board of Trade by the promoters, which was to be made as public as possible in the locality, by advertisement and in other ways, for the space of a month, during which time objections were received. At the conclusion of the month a local inquiry was held, by means of an Inspector, and on his report the Order was either granted or refused. He would enumerate the classes of concessions which seemed to the Board to fall within the scope and intention of the Act. They were—first, appropriations of moderate areas of unproductive sea bed or foreshore for the establishment of new fisheries. By "unproductive" was not, of course, meant unfavourable for the breeding or fattening of oysters, but ground which required stocking, and perhaps some artificial improvement. With respect to these there could be no doubt. No one was injured by the appropriation, and whoever made oysters grow where none grew before was entitled to the fruit of his labours. Secondly, the appropriation of small areas of productive ground in the vicinity of public beds. In this case there was more difficulty, because the rights of the public must be respected, although it would probably be conducive to the increased supply of oysters that the whole public bed should have the advantage of greater care and better management. They, however, considered that they were only justified in giving exclusive rights over such small portions of ground, that the public rights might not be curtailed in any appreciable degree. The third case they should entertain would be an application from an owner of an existing fishery for more complete powers under the Act to protect himself from depredation. It was clear, therefore, that it would not be fair to appropriate large areas of public productive ground, upon which bodies of fishermen gained their livelihood, though it might be an advantage to give those fishermen a *quasi* property in the grounds they had been in the habit of working, in order that they might clean the beds, and protect themselves from wasteful methods of fishing. Nor would it be right to give any person or company more ground than they could profitably cultivate, as this would be checking that competition they desired to promote. Nor could they delegate their authority to others, and allow companies to appropriate ground for the purpose of subletting or granting licences to others to work it. One or other of the objections he had stated proved fatal to many applications. The two cases in which Orders had been granted appeared to be free from such defects. Others were still under consideration, and which he hoped might be granted. The charge for obtaining these Orders, as far as the Board of Trade was concerned, was very moderate, consisting of a little more than the travelling expenses of the Inspector, hire of a room for the inquiry, and such like. A deposit of £50 was required to meet these charges, and in the two cases in which Orders had been granted a considerable portion of this would be returned. Where there was much opposition, and solicitors and counsel employed, other expenses, and probably heavy ones, were incurred; but with this they had nothing to do, and over it they had no control. With these few words of explanation he asked leave to introduce the Bill.

Motion *agreed to.*

Bill to confirm certain Orders made by the Board of Trade under "The Oyster and Mussel Fisheries Act, 1866," relating to the Rivers Blackwater (Essex) and Hamble, *ordered* to be brought in by Mr. STEPHEN CAVE and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 54].

LAND WRITS REGISTRATION (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE moved for leave to introduce a Bill to improve the system of Registration of Writs relating to Heritable Property in Scotland. He said: I shall, in moving for leave to introduce this Bill, detain the House for a very short time. There is an admirable system of registration of deeds in Scotland, which is supported by fees, and not out of the public funds. The local registers draw the full fees, and are not responsible for any surplus. In the general registry the fees are devoted to payment of the salaries of officers, and a considerable surplus each year accrues to Government. Now, it is proposed that these local registers shall be abolished, compensation being given to holders of offices, and that there shall be one system of registration, which would tend to facilitate the searching for incumbrances, by making it necessary to search only in one register instead of two; and it will conduce to economy, because when the registration is concentrated in Edinburgh, the fees of the local registers will be saved, and, by concentration of management, the Government will be able to reduce the fees to be paid by proprietors who wish their deeds registered. This reduction of fees will be on a graduated scale, having reference to the value of property to which the deeds relate. The Bill was founded to some extent upon the recommendation of the Commission appointed in 1861 by the right hon. Member for Morpeth (Sir George Grey) then a Secretary of State. The Commission reported favourably of the proposed amalgamation of the registers, and a Bill was brought in in 1866 to give effect to the recommendation. That Bill was sent to a Select Committee, who approved of it, with certain modifications; but the Bill was not passed then, as it was near the end of the Session. In the last Session the Bill was reintroduced; but owing to the House being otherwise so much occupied, it was not carried. Therefore, I now move for leave to re-introduce the measure, and shall only mention that it contains a provision by which the printed abridgement of the registers for 1781 to the present time will be transmitted, not only to the different districts where the local registers were formerly kept, but also to each county; and law agents will be able to make searches for themselves, if they trust to these, instead of going to the General Registry in Edinburgh.

Motion *agreed to.*

Bill to improve the system of Registration of Writs relating to Heritable Property in Scotland, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary GATHORNE HARDY, and Mr. WALPOLE.

Bill *presented,* and read the first time. [Bill 56.]

TITLES TO LAND CONSOLIDATION (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE moved for leave to bring in a Bill to consolidate the Statutes relating to the constitution and completion of Titles to Heritable Property

The Lord Advocate

in Scotland; and to make certain changes in the Law of Scotland relating to Heritable Rights. The hon. Gentleman said, several statutes were passed, beginning in 1845, when Lord Colonsay was Lord Advocate, for the purpose of simplifying the forms of titles to heritable property. Those statutes were founded upon the recommendation of the Royal Commissioners made in 1838. The statutes of 1845 were followed by statutes brought into the House by Lord Rutherford, when Lord Advocate; and there was a subsequent statute introduced by the hon. and learned Member for Edinburgh (Mr. Moncreiff). There were thus several progressive steps taken in the course of simplifying the law. The statutes are eleven in number, and it cost law agents much trouble to consult them, as they were the results of progressive legislation. One of the principal objects of the present Bill is to consolidate in one statute all the provisions contained in these statutes. There are also some changes proposed to be made in reference to the law of heritable rights in Scotland. In the first place, it is proposed that testamentary deeds shall no longer require the use of technical terms; it being at present necessary, in the disposal of real property, to use the word "dispone," although millions of personal property may be conveyed without the use of the word. We want to enable the Courts to interpret the meaning of the testators, without the necessity of technical terms being used. It is also proposed to make monies lent on heritable security no longer heritable or real, but personal property, as in the case of money lent on mortgage in England. There is also a provision to abolish right of what is called "heirship moveables." The last provision to which I would refer is that in which perhaps the hon. Member for Westminister (Mr. Stuart Mill) will feel some interest—I mean that which will enable females to subscribe as witnesses to the subscription of deeds, which is now a somewhat doubtful question according to the law of Scotland.

Motion *agreed to.*

Bill to consolidate the Statutes relating to the constitution and completion of Titles to Heritable Property in Scotland; and to make certain changes in the Law of Scotland relating to Heritable Rights, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary GATHORNE HARDY, and Sir GRAHAM MONTGOMERY.

Bill *presented*, and read the first time. [Bill 57.]

ECCLESIASTICAL BUILDINGS AND GLEBES (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE: I now rise, Sir, to ask leave to introduce a Bill to amend the procedure in regard to Ecclesiastical Buildings and Glebes in Scotland. I have been requested to bring in a measure on this subject by hon. Members on both sides of the House. It has reference to ecclesiastical buildings and glebes in Scotland; and I may explain shortly that at present the clergymen of a district called a Presbytery, are the authorities who determine judicially, at least in the first instance, with respect to ecclesiastical buildings and glebes. They hold the somewhat inconsistent position of being to a great extent at the same time litigants and judges. Their decision is subject to the review of the Court of Session, and they are brought to the Court of Session as parties or litigants after having acted as judges, and they are often subjected to considerable loss. Now, this has been found a very inconvenient system, by the proprietors affected by the decision of the Presbytery, and also by the Presbyters themselves. I believe it is a very general feeling on the part of the Church that this is a very inconvenient system, and I have been asked to bring in a Bill on the subject. By the Bill which I now ask leave to introduce I propose that in case a dispute arises between a Presbytery and the proprietors, instead of having the Presbytery as judges, the case should go to the Sheriff of the county, who shall give judgment in the case. This will result in preventing any irritation between the clergymen and the proprietors, and at the same time afford a cheap and expeditious mode of settling any dispute.

Motion *agreed to.*

Bill to amend the procedure in regard to Ecclesiastical Buildings and Glebes in Scotland, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary GATHORNE HARDY, and Sir GRAHAM MONTGOMERY.

Bill *presented,* and read the first time. [Bill 58.]

INDIAN RAILWAY COMPANIES BILL.

On Motion of Sir STAFFORD NORTHCOTE, Bill to enable certain guaranteed Indian Railway Companies to raise Money on Debenture Stock, *ordered* to be brought in by Sir STAFFORD NORTHCOTE and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 55.]

House adjourned at half after Eleven o'clock.

HOUSE OF LORDS,

Tuesday, March 10, 1868.

MINUTES.]—PUBLIC BILLS — *First Reading*— Railways (Extension of Time)* (36).

Committee—Court of Appeal Chancery (Despatch of Business) Amendment* (20).

Report—Court of Appeal Chancery (Despatch of Business) Amendment* (20).

Third Reading—Public Departments (Extra Receipts)* (25); Registration of Writs (Scotland)* (15), and *passed.*

Their Lordships met; and having gone through the business on the Paper, without debate—

House adjourned at a quarter past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 10, 1868.

MINUTES.]—SELECT COMMITTEE—On Coventry Election *appointed;* on Poor Rates Assessment *appointed;* on Malt Tax *appointed;* on House of Commons (Arrangements), Mr. John Bright *discharged* and Mr. Waldegrave-Leslie *added;* Metropolitan Foreign Cattle Market, Mr. Freshfield and Mr. Moffatt *added.*

CONTAGIOUS DISEASES.—QUESTION.

MR. WALDEGRAVE-LESLIE said, he wished to ask the Vice President of the Council, Whether the Government contemplate bringing forward any Measure to render more compulsory the isolation of persons infected with smallpox, scarlet fever, &c.?

LORD ROBERT MONTAGU replied, that the Government, as at present advised, did not contemplate bringing forward any measure to render more compulsory the isolation of persons infected with smallpox, scarlet fever, &c. Article 38 of the Sanitary Act, 1866, provided against certain dangers to the public from persons with contagious diseases, and imposed a penalty on any person exposing himself when so affected. The policy of that Act was to place the power in the hands of the local authority. The hon. Member appeared to desire to take the power out of the hands of the local authority and to give it to the central authority. A central government, however, could not work such a provision, for it meant, if it meant anything, that the Government should place every infected person in strict durance for at least two months, until all danger of infection had passed away. The Vaccination Act of last year was resisted because it was compulsory; but that was nothing to such a proposal as this.

SCOTLAND—AGRICULTURAL LABOURERS' DWELLINGS.—QUESTION.

Mr. **FORDYCE** said, he wished to ask the Lord Advocate, Whether, in consequence of the great deficiency of house accommodation for Agricultural Labourers in Scotland, he will consider the expediency of extending "The Labouring Classes Dwellings Act, 1866," to entailed properties, and grant facilities for obtaining permanent building feus on such properties?

The **LORD ADVOCATE** said, in reply, that it did not appear to him to be necessary to consider the expediency of extending the Labouring Classes Dwellings Act to entailed properties, because in 1860 an Act was passed to facilitate the building of houses for farm servants and artizans upon such properties. But, with reference to the latter part of the Question of the hon. Gentleman, whether he (the Lord Advocate) would grant facilities for obtaining permanent building feus, referring doubtless to the diminution of expenses in connection therewith, he had to reply that it was under his consideration whether something might not be done to effect that object.

CATTLE PLAGUE REPORTS.—QUESTION.

Mr. **EVANS** said, he wished to ask the Vice President of the Committee of Council on Education, Why, having, on the 13th of May, 1867, declined to state to the House the contents of the Report made by Professor Simonds by order of the Privy Council upon a case of Cattle Plague alleged to have occurred at Burnaston, in the county of Derby, he read to the House on the 29th of November last the Report of the same gentleman upon a similar case in Berwickshire?

Lord **ROBERT MONTAGU** said, in reply, that on the 13th of May, 1867, he stated fully the ground of his refusal to produce the Confidential Report of Professor Simonds. It was because a rule had been made by the Privy Council that such Reports should not be made public. The reason of that rule was that, under the Act of 1866, it might give rise to litigation in every case where the Confidential Report differed from the certificate of the local Inspector. On the 29th of November, however, they were no longer under the Act of 1866, but under that of 1867, and the doubt no longer remained. The Privy Council, therefore, rescinded the aforesaid rule. Moreover, the case of Langrigg, in Berwickshire, was widely different. Cattle plague had entirely disappeared from the country. If the Privy Council had permitted the place to have been accounted "infected," it would have followed that the cattle plague had been again introduced into the country, and a very reasonable panic would have been spread, which the Privy Council deemed it very desirable to allay.

STATE OF IRELAND.

MOTION FOR A COMMITTEE.

Mr. **MAGUIRE** said: Mr. Speaker, I should indeed be sadly insensible alike to the immense importance of the subject I am about to introduce, and to the dignity of this assembly, if I did not respectfully and earnestly claim the liberal indulgence of the House while I attempt, however inadequately, to discharge that duty. Owing to the prominent position which the Motion has assumed, I have been more than once half tempted to shrink from the task I have undertaken; but, Sir, the occasion is too solemn, and the crisis too grave, to admit of mere personal considerations. I placed my Notice on the Paper at the close of the short Sitting in November, and I did so for these reasons: in the first place, because during that Sitting there was no authoritative statement, proposal, or even declaration of opinion, having reference to the affairs of Ireland, its hopes and expectations, its present or its future; and that, in the second place, I was determined, so far as in me lay, to challenge, by open and advised speaking on my part, the Statesmen and party Leaders of this House, and the representatives of the English people, to a full and free discussion of that which, above and beyond all others, has become the question of the day—that question which, in the solemn words of my hon. Friend the Member for Westminster, in the opening of his noble appeal in behalf of the Irish people, rises at least once in every generation, "to perplex the councils and trouble the conscience of the British nation." In doing this much, I trust I have not overstepped the duty of a private and independent Member, who for many years has had a seat in this House. Surely, Sir, the time has come when we should deal with this Irish question, not in a party spirit, which I deprecate—not in a sectarian spirit, which I abhor—but in a broad, comprehensive, and generous spirit — a spirit at once wise and patriotic. The state of things in Ireland is calculated to inspire any commonly thoughtful man with feelings not merely of anxiety, but of foreboding and alarm. Ireland presents at this moment — sixty-eight years after the passing of the Act of Union — the aspect of a country on the eve of a great struggle, rather than an integral portion of the heart of an Empire in a state of profound peace, and having friendly relations with all the nations of Europe. It is occupied by a powerful and well-equipped army, such as one might expect to see maintained in Poland under Russian rule, or such as the Sublime Porte would dispatch to a revolted province of European Turkey. Its cities and towns are strongly garrisoned, its barracks are filled to their uttermost capacity of accommodation, and squadrons of cavalry and detachments of infantry are quartered in districts which for many years had never beheld the face of a British soldier. Besides this powerful and thoroughly equipped army, you have in Ireland what you may term a supplemental army—13,000 of the finest *gens-d'armerie* to be found in any country or under any flag. Under ordinary circumstances — such as I hope to witness again in Ireland — the duties of these 13,000 men would be of a purely civil character, while their most daring achievement would not go beyond the maintenance of peace at a contested election, the suppression of a street riot, or the stopping of a faction fight at a country fair; yet these 13,000 Royal Irish Constabulary are drilled and disciplined like ordinary troops, and are supplied with the most effective and deadliest weapons known to modern military science. Their barracks, hitherto mere stations, are being converted into so many fortresses, with stanchions, iron shutters and iron doors, and loop-holed masonry—so constructed or strengthened as to resist anticipated attack — so many village fortresses, to awe the disaffected, and inspire the timid with confidence. Formidable fleets occasionally lie in Cork harbour—a harbour deserted in times of tranquillity — round which armed boats row, as if an enemy's fleet were holding it in a state of blockade. Gunboats are to be found far up some of the principal rivers, or in remote creeks; and swift cruisers keep watch and ward round the coast, on the look-out for suspicious craft. The Government gaols are filled with political prisoners—indeed, almost the only prisoners in the country, thanks to the wonderful absence of crime; for were it not for the Fenians, who have been a godsend to the lawyers, whatever they have been to the Government, the Irish Bench would ere this have been sacrificed to the merciless pruning knife of Financial Reform. Trials at Commissions, trials at assizes, trials at quarter sessions, investigations in jails, domiciliary visits, ransackings of houses, and even streets, in search of arms or documents—denote the dangerous political agitation to which the country is a prey. Then, to crown all, public liberty is dead, personal inviolability at an end; for now in Ireland — in this integral portion of the United Kingdom — in this part of an Empire at peace with Europe — any man — any poor man — may be arrested on the whisper of a spy, the oath of a practised perjurer, the suspicion of an ignorant policeman, or the folly or the fussiness of a foolish or a scared official. The expression of an independent opinion exposes him who utters it to the immediate attention of the authorities, while the proclamation of a national sentiment is a clear proof of Fenian sympathies. To object to unnecessary "remands," secret investigations, or crushing prison discipline, is an unpardonable offence—at least with the hyper-loyal—in a country whose constitutional liberty is on a par with that enjoyed by the subjects of the Emperor of Morocco or the King of Abyssinia. To illustrate the notion formed by those to whom is left the practical administration of the law in the streets of an Irish city, I may mention that at the late Limerick Assizes, terminated but a few days since, the presiding Judge (Mr. Justice O'Hagan) greatly surprised, indeed intensely disgusted, a member of the Royal Irish Constabulary by informing him that, even though a man did hesitate to give his name, a policeman was not permitted, as a preliminary to further proceedings, to seize him at once by the throat. I now come to the material condition of the country whose constitutional freedom is practically at an end. The material condition of Ireland is naturally a question of deep anxiety to the statesman and the legislator; and the question is this — is Ireland improving?—is Ireland at a standstill?—is Ireland retrograding? It is the interest of those who desire, as the phrase is, to let things alone, to represent her advance, if not something marvellous, at least highly gratifying. Those people who say, "Let well alone"—really let ill alone—point with satisfaction to statements which appear in certain Government pamphlets, and to statistics published by Mr. Donnelly, and judiciously handled in *The Times* and the *Pall Mall Gazette,* as proofs of wonderful progress, and of the wisdom of their agreeable policy of "letting well alone." How is this marvellous or gratifying prosperity proved? By the comparison of periods. What periods? The years 1851 and 1867. As well might one contrast the condition of a feeble convalescent, reeling from a bed of fever, with that of a man in his ordinary health, as to compare the state of things in 1867 with that in 1851. The famine, which commenced in 1847, and raged in 1848, did not end in 1849, and was felt for several years after; in fact, until 1856 or 1857, Ireland had not fairly turned her back on the years of famine. See the state of things in 1851. In that year there were 750,000 persons in receipt of Poor Law relief. In that year 44,000 persons had been evicted from their holdings, while 73,000 had been evicted in 1850, and 72,000 in 1849. In the same year emigration assumed indeed the character of the hemorrhage described in after years by the First Lord of the Treasury, for no less than 290,000 persons left Ireland permanently in 1851. And to cap the picture, property, which has since been selling at twenty-five, and twenty-six, and even twenty-seven years' purchase, was then to be had at fifteen, and twelve, and even ten years' purchase. Now, I ask, is it not bewildering the public mind — is it not deceiving the people of this country — to endeavour to establish any comparison or analogy between a period like that of 1851 and the present time? But let us take the year 1859—an ordinary or normal year—and contrast it with the year 1867. I admit there is a large increase in sheep; but no one who knows Ireland regards an increase in sheep—to which the human being has been made to give way—as a conclusive proof of Irish prosperity. There is also an increase of goats to the number of 4,000; yet even the most enthusiastic will hesitate before taking that increase as a proof of marvellous, or even gratifying progress. Look at the other side of the picture. There were in Ireland 113,000 head of cattle, 107,000 horses, and 500,000 acres under cereals less in 1867 than in 1859; and 1,139,000 acres of land under cereals less than there were twenty years before. Such a diminution of the agricultural wealth of a country can hardly be regarded as a proof of its progress. If it be progress, then I do not know the meaning of the term. But there is something worse. Not only is there a diminution of agricultural wealth, and in the extent of land under cereals, but there appears to be a falling off in the productive power of the soil. Why is this? To what is this to be attributed? Is it to a failure in the land, or to the change of climate, or to Providence? The falling off in the production per acre — which is proved beyond question by tables quoted by Lord Dufferin—is not attributable to a failure of the powers of nature, nor to changes in the climate, nor to Providence, but to a very simple human cause—namely, that the farmers are beginning to lose heart from want of security, and would rather hoard their money, or put it in the banks, than invest it in the land, at the mercy of landlords who are not guided by higher laws than those which Parliament has established. The condition of the country towns necessarily follows the state of agriculture, on which they depend. The state of agriculture is most backward, as a rule. I do not appeal to the evidence of Judge Longfield, who thus described it; I rather appeal to the experience of every English tourist, and the testimony of every amazed American traveller. The country towns of Ireland, save those which are sustained by manufacturing industry, are sinking and mouldering into decay—steadily but surely going back. Of course, I do not speak of cities such as Cork, Limerick, Waterford, and others, or of towns in which, as I have said, there are special sources of employment; I refer to the country towns, and to these generally, and I repeat that their condition is deplorable, getting worse day after day; that a feeling of despair is taking possession of their shopkeepers and people in business, whose only hope is in emigration to another land. And now, Sir, what is the state of feeling in Ireland? If I were to say that the general feeling was one of discontent, I should be adopting a mild but most imperfect mode of endeavouring to describe the terrible reality. If I said there was an almost universal feeling not only of discontent, but of something approaching to disaffection, I should be much nearer the mark. This would disprove the statement made by the noble Lord opposite (the Earl of Mayo) the other night, when he said that only ten or eleven farmers were taken up under the Lord Lieutenant's warrant, and then asserted that that small number showed the loyalty of the farming class in Ireland, arising from their contentment with the British law. I do not describe the feelings of those who only believe in revolution; it is not necessary for me to do so. I leave that feeling to be described by the Law Officers of the Crown, and by the Judges of Assize. But there is a feeling almost as dangerous as that—there is a feeling of despair growing gradually over the minds of men, and steadily absorbing those who are opposed to revolutionary objects—men who love peace and order, and desire legitimate progress by constitutional means. They despair of obtaining redress from the justice and wisdom of Parliament, or from the honesty or wisdom of statesmen. There is in their minds a sense of despair respecting the future of Ireland. There is also a large class in Ireland, who, hoping against hope, and believing in the wisdom of certain English statesmen, and the justice of the English people, as in their fears, still hope that a better state of things may dawn upon their country. What is the cause of the feeling of alienation from England that lies in the heart of the Irish people—a feeling that is common not to one class but to many classes—and to some of what are termed the better classes in Ireland? The causes are many. Parliament is responsible for some of those causes, certainly not for all. Parliament is responsible for a great deal; but the feeling is partly owing to the past as well as to the present. It is owing to the history of the country, to the traditions of the people, and to the legislation or non-legislation of this House. Sufficient account is not made of the effect produced in the mind of Ireland by the records of the past. England has attempted to blot out the history of Ireland; and in the National schools of Ireland, the page of her history has been deliberately closed. But the eager student, the moment he got beyond the school-walls, when he read that dark and blood-stained page of cruelty, oppression, and wrong unequalled in the world, felt his heart glow with indignation, or chill with horror. Your legislation should attempt to wipe out, if you can, the history of the past. Solemnly, I wish that there would rise up some great and potent wizard, some genius of beneficence, who, representing the atonement as well as the wisdom of the English people, would, by generous legislation and wise government, bury for ever the bitter memories of the past. But where is this political Prospero to be found? Is he to be found in the front rank of the Ministry, or in the front rank of the Opposition? If the memory of the Irish people be not blunted, it is the fault of Parliament; for by bad laws, or by allowing links of former bondage to remain unbroken, you preserve a chain of connection in the mind of the country which reaches from the present to the past. Hon. Gentlemen have no doubt heard of the Penal Laws, those terrible engines of persecution and degradation, and possibly think that they existed only in remote centuries. But such is not the case. These laws are by no means of such remote date, and some of them still linger on the statute book, to shame our modern enlightenment. The memory of that evil code lives fresh in the minds of the Irish people: by bad legislation, or by refusing redress through good legislation, you keep alive the spirit which those laws engendered. It is only ninety years—a short time in the history of a nation—since it was an offence liable to imprisonment for life if a priest celebrated mass, or a Catholic taught a school in public or in private. A venerable ecclesiastic of my church—the Catholic Dean of Cork, Dr. Collins—often told his friends that when he was studying his Virgil with other law-breakers, in a ditch, they were obliged to have a scout on the top of the fence to watch the approach of the spy. It is only seventy-five years ago since the Catholics of Ireland were allowed to possess the franchise. It is only a short time since the learned professions were open to Roman Catholics. Not a very long period has elapsed since the time when a Protestant might, in the streets of Cork and Dublin, take from the Roman Catholic owner a horse worth £100, and pay him but £5 for it. It is not very long since the son of a Catholic could rob his father of his property by professing the Protestant religion. We have in Ireland, and perhaps in this House, the descendants of men who had thus obtained the estates of their fathers; and no doubt they will now stand up for the rights of property to which their predecessors had no right, and for the revenues of a church to which their forefathers did not belong. English writers and politicians—even the very best of them—oftentimes reproach the Irish with ignorance, idleness, want of trade, want of commerce, want of energy, and want of business habits. Do they ever remember that the Government of England, not so very long since, had done everything in its power to destroy the manufactures, the trade and commerce of Ireland? And it was not until 1782 that Ireland, owing to the then attitude of the Irish people, recovered her legislative independence. England is responsible for the legislation before and after the Union; for before it the Irish Parliament was merely a subordinate and subservient body, to which that of England sent its decrees. I assert, without fear of contradiction, that under the Irish Parliament, from 1782 to 1800, though it was an unreformed Parliament, crowded with the servants of England, and at the beck of the English Minister, Ireland made a wonderful advance in all that constituted the life of a nation—liberty, prosperity, and power—trade, commerce, manufactures, industry, and intelligence. But England was jealous. She was determined to destroy the constitutional liberty of Ireland, and deprive her of the right of governing herself; and she did so. It is a fact beyond all dispute that the Union was carried against the declared wishes of the Irish people, by fraud, violence, terror, false promises, and corruption of the most infamous and wholesale character. As one fact indicative of the feeling of the people, I may state that there were but 5,000 signatures in favour of the Union, while there were 700,000 against it, at a time when public meetings convened by the sheriff were dispersed by the bayonets of the soldiery. England then assumed a grave responsibility before the world. The Union was, no doubt, described as a great marriage contract; but, although the bride was dragged to the altar, and the executioner was ominously near the officiating priest, the English people, represented by their Statesmen and their Parliament, declared that they would carry out the conditions to the spirit and the letter. Now, how have the various promises made at that time been since redeemed? It was stated that Ireland would henceforth share in the power, the prosperity, and the contentment of England—in fact, that a new era of happiness and glory had dawned for lucky Ireland. Among other things, docks and arsenals were promised to various places. Cork was to be one of these favoured harbours. How had that promise been performed? Hon. Members would find an extraordinary note in the Naval Estimates that day, which would give them some information on the subject. At length—sixty-five years after the Union—an attempt was going to be made to give this dock and arsenal to Cork, but the construction of those works was made conditional on the number of convicts at Spike Island and the other prisons in Ireland; so that, because Ireland was comparatively free from crime, and did not possess many convicts, the promise held out at the time of the Union was not to be realized for another twenty years. Then, again, emancipation was promised. That promise was not redeemed until twenty-nine years after the carrying of the Act of Union, and not until the Duke of Wellington declared that it was dangerous to withhold it any longer from an excited people. Lord John Russell was certainly right in saying that everything that Parliament had done had been done through fear, and not in a generous spirit; and that measure, instead of being an olive branch of peace, was planted with thorns, which lacerated the feelings of the Catholic people of Ireland. It was not until riot was universal and massacre frequent that Parliament allowed the landlord to become the proctor, and to lèvy the tithes from the tenant in the shape of rent. Then as to the agricultural population of an agricultural country, let us see what this Parliament has done for them, and in what position they now are. The present condition of the Irish people has been summed up in a single sentence in a pamphlet published within the last few days by a Protestant and Conservative gentleman, Mr. Marcus Keane, who describes himself as the land agent of several large estates, as well as a landed proprietor of thirty years' experience—

> "The great mass of the Irish tenantry have no better title to their holdings than the will of their landlords."

That is the condition of the mass of the tenants of Irish soil from whom we expect the virtues of angels and the loyalty of a Court Chamberlain. The legal position of the agricultural classes of Ireland is not credited by Americans. I remember, for instance, crossing in the autumn of 1866, in a stormy night in October, and finding myself alone with an American gentleman who was returning to his own country. I can assure the House I was in no mood for argument at the time, as it was with the utmost difficulty I preserved the semblance of a sitting posture. But the American traveller was, like his countrymen, anxious for information. The traveller said to me, "You are a Member of the British Parliament?" "I have that honour," I replied. "You are an Irishman?" I said, "I have that greater honour." The gentleman then entered into conversation, and said that he desired some information on a point about which he was in doubt. He had heard in Ireland, but could not believe the statement, that the majority of the tenants in that country were without leases. I replied that the statement was quite correct, and that the tenants had no security for their industry but the honour and good faith of their landlords. I was asked what was the proportion of those without leases, to which I replied that, according to the popular notion, they numbered five-sixths, and the landlords themselves acknowledged them as being three-fourths. To this my acquaintance returned, "My God! is that a genuine fact?" "A genuine fact, I assure you." "Why don't you put it down?" "Unfortunately, we can't." "Why don't you change the laws?" "Unfortunately, we are in the hands of those who make the law, and they are generally Irish landlords and English landlords, many of them holding property in Ireland." "Well," said my friend, "we would settle that in our country very soon; it is an Almighty grievance, and you ought to put it down." Now the logic of the American was not only that of the Fenian, but of the Premier of England; for in 1844 the right hon. Gentleman asked, "What would Gentlemen say of a country in which such things existed?—they would answer—the remedy is revolution." I do not believe that revolution is the right remedy; on the contrary, I believe in the wisdom and justice of the people of England, and of the men who lead parties in this House, and I believe the question will be settled, some time or other, according to the interests of all parties. Would hon. Gentlemen opposite be loyal if their position, their wide possessions, their ancestral domains, depended upon the will of another person? You would be slaves if you were. I am sorry that the late Sir Robert Peel did not live long enough to carry out the enlightened views which he had formed on this subject. The action of the Incumbered Estates Court was looked to with hope, but the favourable anticipations indulged in for the occupiers have not been realized. I will refer to three cases, to show how the beneficial operation of the change has not touched them. In 1865 the case of "Clark *v.* Knox," was tried at the Tullamore Assizes, and it came out that land occupied by a body of contented, industrious, improving tenants was sold in the Incumbered Estates Court to a stranger, who made the condition of the purchase the clearing of the estate of the men, women, and children on the holding. In the second case, Mr. John Carden, whose memory is honoured in Tipperary, decided to sell a property not very long since, and the condition of sale was that he should clear the estate of the Queen's subjects. He died before his amiable object could be accomplished; but his successor had been called on in a Court of Justice to complete the contract, and those tenants were driven from the land, and it may be have gone across the Atlantic, to be your enemies for ever. It is reported that if Cuvier or Professor Owen had been shown a toe nail or a tooth of an extinct animal, he could build up a model of the monster, and describe its habits and voracity; and so from the character of a single such act as I next describe may be indicated the nature of irresponsible landlordism. My third case is paltry and contemptible, but it resembles the toe nail of the mastodon; it shows the nature of that enormous monster which preys upon Ireland. One of the new benefactors of the country, Mr. Hogan, a builder, of Dublin, was attracted by the description of some property in Wexford which was for sale. It was stated to be occupied by three tenants, who "paid their rent punctually;" and thinking its purchase would be an admirable commercial speculation, Mr. Hogan paid his £1,050, and purchased the estate, including the tenants, body and soul. The tenants were paying at the time of the sale something under 18*s.* an acre to Lord Valentia, an absentee landlord; but this benefactor to the country—this creation of a great social revolution—made a demand of £2 an acre, and the alternative was a notice to quit, and this although one of the tenants had built a house on his holding valued at £200. Mr. Hogan, the builder, might have shuffled his three tenants out without a word; but the *Wexford People* scourged him in its columns to such a degree that in his exasperation he sued the editor for libel before Mr. Justice Whiteside, not long since an ornament of the House of Commons. I am happy to say the jury disagreed, and though the paper has been called on to pay its own costs, the Dublin trader has enjoyed no triumph. In his charge, Lord Chief Justice Whiteside said there is a law higher than the law of the land, which every man should carry in his breast, a law inspired by God himself—and that is, to do to others as he would be done by; and a feeling of indignation was excited in that Court against the monstrous tyranny disclosed.' Surely it is time that this fundamental question of landlord and tenant should be settled on an equitable basis. It has often been said that the Irish made speeches, but did not make distinct proposals to remedy the existing evil; that I am bound to condemn as an unfair description of what Irish Members have done. Three years ago my hon. Friends and I met in Dublin and in London day after day, considering what was the least we should look for, what the most we could demand—that is with a hope of success; and after sacrificing many cherished hopes we embodied in the form of a Bill the very least that could be regarded as fit to meet the emergency. I often regretted ever having done so, for the result was miserably deficient. However, the Chancellor of the Exchequer of that day introduced the Bill with certain modifications, and in that the House has the last proposal of the Irish Members who represent the interests of the tenants and also the real interests of the landlords. But how was it received? It was met by a statement on the part of the Irish landlords that an attempt to carry it would be the signal for a universal notice to quit throughout the country, a declaration of war by the landlords against the tillers of the soil. Last year the noble Lord the Chief Secretary for Ireland, who had denounced the Bill of the Liberal party as confiscation and flat burglary, brought in his Bill. The noble Lord's Bill is good to a certain extent, but it fails, as every Bill with a like defect must fail, because it does not give security of tenure. This want is the great evil of Ireland; and this must be provided for, if Ireland is to be regenerated and the Empire is to be saved. I repeat that if the Empire is to be saved from all kinds of calamity, Ireland must be pacified; and without justice to the largest and most important class in the country there is no hope of peace. The noble Lord is willing to grant public money for the improvement of land either through the tenant or landlord, and no doubt if the tenant invests his own money he is to be secured from the appropriation of its results by the landlord; but no attempt is made to secure the tenant in the enjoyment of the improvements he has made; and unless this is done the real grievance will remain unmet. The real grievance is that the people hold their land at the will of others. It is true that a large body of the landlords of Ireland are benefactors to the country, rejoicing in the prosperity of the people, and enjoying the confidence of their tenants to such an extent that in many instances the tenants think of asking them for a lease; but beyond this boundary is another large body whom I would not dare to trust with the liberty and the property of the great mass of the Irish people. The noble Lord, therefore, is bound to move a step in advance, and deal with tenure as well as with improvements. What would do two years ago will not do for to-day. In 1860 the Irish Members warned the Government as to what would be required; but the Government paid no attention to their warning, and the Act of 1860 remains a dead letter to this hour. The Conservative Government in 1852 proposed a Bill which gave a claim to the tenant for the value of improvements made during previous years. That Bill was read a third time by the House of Commons, and I assert that no Bill which does less than that will meet the necessity of the case. It is absolutely necessary that the property of the tenant shall be protected from the landlord's rapacity and caprice. The noble Lord has said that the farmers are quite contented, and he bases his assertion on the fact that only eleven farmers have been arrested under the Lord Lieutenant's warrant. That, however, is capable of explanation. The farmer is a cautious man, who considers long before he moves, and always waits to see how things are going. I will, however, as an answer to this statement, read a few words spoken, on the 6th of August, 1866, in "another place," by the Earl of Kimberley, the late Lord Lieutenant of Ireland, a man of great sagacity and prudence, who, while he administered the law with a firm hand, made most solemn appeals for a settlement of the land question. The noble Lord said—

"As regards the farming classes—of whom I have frequently seen it asserted that they did not sympathize with this sedition—I regret that, in its full extent, I cannot repeat that statement. In the South and West of Ireland, although the occupiers of farms did not take a prominent part in the conspiracy, yet, as a matter of fact, it was known that had the rebellion actually broken out, in many parts of the country they would have been prepared to join it."—[3 *Hansard,* clxxxiv. 2079.]

There is a pamphlet which has been written by the hon. Member for Canterbury (Mr. Butler-Johnstone)—whose ability we all must admire, however we dissent from his views—which contains a remarkable quotation from a very remarkable man. I quoted the late Lord Lieutenant, and the hon. Member quotes Dr. Moriarty, the Roman Catholic Bishop of Kerry. If anybody has given offence to those who favour Fenianism it is the Bishop; but in giving evidence a short time since before a Committee of this House he said—

> "If the Grand Turk came over to Ireland and gave the people a hope of throwing off the British rule, he would be followed by every man, woman, and child in the country."

This is, no doubt, a rhetorical expression; but it meant a great deal. There is also the statement of Mr. Marcus Keane, a Conservative gentleman of wealth and standing, a landowner and extensive land agent, who in writing to the Marquess of Conyngham, penned a passage which is well worthy of attention when we are told that the land question has nothing to do with Fenianism. Mr. Keane said—

> "The strength of Fenianism lies in the sympathy which it receives from a large majority of the tenant class. As a mere conspiracy, Fenianism is not very formidable; but as a principle pervading the Irish nation, and actively influencing the minds of many who have never thought of becoming avowed Fenians, I look upon it as more serious than I can easily find words to express."

Is the House to discredit testimony like this? Again, in reference to the rentals of Ireland, Mr. Keane wrote—

> "The rentals of Ireland are steadily following the improvements of the tenants"—not the improvements of the landlords—"some landlords suffer a considerable margin to exist between the actual value and the rent paid, while others lose no opportunity of forcing the rents to the highest amount that circumstances will permit."

A great deal is said about the North of Ireland; but things are not as pleasant there as many persons affect to believe. I have been told on the best Presbyterian authority, by ministers high in the Presbyterian Church, that the protection given by tenant-right is being gradually lost by invasion day by day, and by the constant attempts of large landowners to destroy that much boasted custom in various ways. A pamphlet which I hold in my hand gives a great deal of information about the properties in the North of Ireland, in the hands of different London companies. These properties, I maintain, ought never to be in such hands; and the Government will act wisely if it strike first and hardest at them, as the worst class of absentee proprietors. They are a set of people who, imagining that they are landlords, readily adopt all the prejudices, all the vices, and very few of the virtues of landlordism. There are 300,000 acres of land owned by certain London societies in Londonderry, which is honoured by being christened after London. Some of these societies are very good. The Grocers are good landlords —perhaps their very trade makes them kind; but the Pewterers, the Barbers, the Shavers, the Hammerers, and the Grinders, are terrible with their Irish tenants. Among the statements contained in this pamphlet, which has never been denied, is the following:—

> "The Drapers refuse to give long leases or leases for building in towns or for manufacturing purposes, and the result is that towns have dwindled away, and there are no manufactures or manufacturing industries upon the estate."

I come next to the Ironmasters, including the Barbers, the Coopers, the Pewterers, the Scriveners, and the Lord knows what. Of these the pamphlet says—

> "There are few leases on the estate, nearly all the farms are let from year to year under special agreements, giving the company power to put an end to the tenancy upon three months' notice to quit. There are no manufactures upon the estate, owing to the fact that the companies refuse to give perpetuity leases to encourage business men with capital to invest it in trade on the estate."

The description given in the case of the Mercers ran thus—

> "There are no leases on this estate. Every tenant is required to sign a special agreement whereby a three months' notice to quit can determine the tenancy. There are no manufactures on the estate."

This state of things in the North of Ireland is not satisfactory, as you will find ere very long. It may be said that there is the same law for England as for Ireland. That is always said, and it will be said again, no doubt, from the other side of the House. But, though the laws may be the same, the circumstances of the two countries are entirely different. England is rich, and has many industries; Ireland is poor, and has very few. In Ireland, the land is the principal industry; and, if it were so in England, questions connected with land would assume very much greater prominence than they do at present. But here only one-third of the people follow agricultural pursuits, while in Ireland two-thirds at least are dependent on such occupations. Then there is this difference also—In England, the landlord, as a rule, does everything; while in Ireland, as a rule, everything is done by the tenant. The Irish Members demand to know specifically from the noble Lord what measure of relief he proposes to bring in to settle this great question. The House or the Irish people are no longer to be put off with proposals for a Commission. There was a Commission in 1832, and another in 1845. The Report of the Devon Commission was laid on the table, and the recommendations made sank deep into the hearts of the people, and these recommendations are now treasured up with a sense of wrong, because they have never been acted upon. What we want is not another Commission, but vigorous measures to allay great grievances—measures not to injure landlords, but while securing the tenant the soil, depriving the landlord of the power of sending the Queen's subjects into the workhouse, or of changing them into enemies of the Throne. This is what we demand. Now I come to the question of the Irish Church; and upon this question also we demand from the Government clear and specific statements of policy. There must be no evasion, no shuffling, no dodging—using the latter word in a strictly Parliamentary and Pickwickian sense: we must be told what the Government are going to do with the Irish Church. An alien Church was condemned by the First Lord twenty-four years ago, when he said that that which could not be defended was doomed. The Irish Church cannot surely be defended, unless, perhaps, by some Gentleman who believes that St. Patrick was a Protestant, and that the tithes originally belonged to the Protestants. There is no similar state of things to the Irish Church in any other part of the British dominions. I have myself been in all the British American Colonies, and I have heard dignitaries of the Protestant Church tell with the utmost satisfaction that in those colonies there is no State Church to divide man from man. If a similar state of things as exists in Ireland were introduced into Canada, in six months there would be an uprising of the people, and in twelve months the Stars and Stripes would be floating upon the ramparts of Quebec and upon the Senate House of Ottawa. Compare England herself with Ireland. England has an Established Church, which is in accordance with the sentiments of the great majority of the people. ["No!"] Well, at any rate, there is a large body of Dissenters who have a respectful sympathy with the Established Church. And in Scotland the Established Church is in accordance with the religious feeling of the majority of the inhabitants. ["No!"] Well, then, they have in that country, in addition to the Established Church, a free kirk, which is flourishing, as it deserves to do; and at any rate the State Church is not the Church of the minority of the people, while in Ireland the State Church is the Church of a small minority of the people. How can anyone get over the fact that there are only 700,000 Protestants, or Episcopalians, in Ireland, and that they enjoy all the religious endowments of the country? Suppose that the Catholic Church in England had the entire ecclesiastical revenues of the country, and that the Protestant clergy were left for support to the voluntary offerings of the faithful; suppose Archbishop Manning, instead of living in an unpretending house on a modest income, upon which there are innumerable claims, enthroned at Westminster Abbey, and living in Lambeth Palace, surrounded by all the pomp and splendour which wealth and patronage can create; what would the English people say if they saw him go in state surrounded by Jesuits, Oratorians, and other religious orders, who now live in poverty, to celebrate mass in St. Paul's Cathedral or Henry VIIth's Chapel? What would the English Parliament do? Would Exeter Hall be silent, or would the Protestant Association remain dumb? I should not be surprised if the hon. Member for North Warwickshire confined his opposition to sonorous eloquence or startling statements, and was not to be found holding high office in some new Fenian organization. And as for the hon. Member for Peterborough, the lineal descendant of the stout Cromwell, why he would not be able to contain his indignation at the spectacle of the bloated pomp and dignity of the Papal Church. England would not stand it for a moment, and the people of Ireland will not stand it any longer. We are told that this is a sentimental grievance. Parliament did not mind it so long as there were only 100,000 or 150,000 signatures to petitions yearly upon the subject ; they said they were the signatures of small people — that they were those only of priests and peasants and agitators; but now we have the solemn declaration of the noblemen and gentry and the professional and mercantile classes of the country, that it is a slander upon them to say that they did not feel the existence of the present state of things as an insult and a wrong. We have been told that the Catholics only want a portion of the spoils of the State Church. This has been repeatedly and solemnly denied. But we have now the solemn declaration of the Catholic Bishops upon the subject. There is a great deal of important matter in Earl Russell's pamphlet; but the noble Earl is somewhat unfair when he says, with a sneer, "The Irish prelates prefer their grievance to pay from the State." In 1837, 1841, and 1843 declarations on the subject of the Established Church and ecclesiastical endowments were made by the dignitaries to whom I am referring. They held a general meeting in Dublin in October of last year, and these declarations were adopted—

"The Archbishops and Bishops of Ireland, seeing that the Government and Parliament are preparing to deal by law with the Irish Protestant Church Establishment, deem it their duty to declare—1. That the Irish Protestant Church Establishment is maintained chiefly, almost exclusively, by property and revenues unjustly alienated from the rightful owner—the Catholic Church of Ireland."

["Oh, oh!"] As the Archbishops and Bishops do not want anything from the House of Commons in the shape of endowment, I hope hon. Members will leave them whatever consolation they can derive from their historical quotations. The declarations proceeded—

"That Irish Catholics cannot cease to feel as a gross injustice, and as an abiding insult, the continued, even partial, maintenance of that Establishment out of that endowment, or in any other way, at their expense—an Establishment to which, as to their fountain head, are to be traced the waters of bitterness which poison the relations of life in Ireland, and estrange from one another Protestants and Catholics, who ought to be an united people. 2. That notwithstanding the rightful claim of the Catholic Church in Ireland to have restored to it the property and revenues of which it was unjustly deprived, the Irish Catholic Bishops hereby re-affirm the subjoined resolutions of the Bishops assembled in the years 1837, 1841, and 1843 ; and, adhering to the letter and spirit of those resolutions, distinctly declare that they will not accept endowment from the State out of the property and revenues now held by the Protestant Establishment, nor any State endowment whatever. The following are the resolutions referred to:—Resolved, 'That, alarmed at the report that an attempt is likely to be made during the approaching Session of Parliament to make a State provision for the Roman Catholic clergy, we deem it an imperative duty not to separate without recording the expression of our strongest reprobation of any such attempt, and of our unalterable determination to resist by every means in our power a measure so fraught with mischief to the independence and purity of the Catholic religion in Ireland.' — Resolution of the Irish Bishops in 1837. Resolved, 'That his Grace the Most Rev. Dr. Murray be requested to call a special general meeting of the prelates of all Ireland, in case that he shall have clear proof or well-grounded apprehension that the odious and alarming scheme of a State provision for the Catholic clergy of this portion of the Empire be contemplated by the Government before the next general meeting.' — Resolution of the Irish Bishops in 1841. Resolved, 'That the preceding resolutions be now re-published, in order to make known to our faithful clergy and people, and to all others concerned, that our firm determination on this subject remains unchanged ; and that we unanimously pledge ourselves to resist by every influence we possess every attempt that may be made to make any State provision for the Catholic clergy, in whatever shape or form it may be offered.' —Resolution moved by the Most Rev. Dr. Murray, seconded by the Most Rev. Dr. Slattery, and unanimously adopted at a meeting of the prelates of Ireland, in Dublin, the 15th of November, 1843, the Most Rev. Dr. M'Hale in the chair. 3. That in thus declaring their determination to keep the Church in Ireland free and independent of State control or interference, the Bishops of Ireland are happily in accord with instructions received from the Holy See in the years 1801 and 1805, as well as with the course pursued by the Irish Bishops of that day in conformity with those instructions."

We are met at the very outset by the question — what is to be done with the revenues of the Established Church? On the present occasion I have nothing whatever to do with that matter. Various plans of appropriation have from time to time been suggested ; but this question is not ripe for discussion at the present moment. The only question for the House now is what is to be done with the Church Establishment itself? The Roman Catholic population of Ireland only ask for "dis-establishment and dis-endowment," and are content to leave the question of what is to be done with the funds to the wisdom of Parliament and the course of time. They say further, that they have no selfish object in view, and that they have no hostility to the Protestant Church or people. I solemnly believe that the Catholic people of Ireland are the most tolerant and liberal people in the world. [*Laughter.*] Well, I will give a fact in proof of what I say. If a Protestant and Catholic came forward as candidates for any county or borough in Ireland to-morrow, and their politics were the same as the politics of the majority, the people would as soon have the one as other; and that is not the case in England or in Scotland that I have ever heard of. Religion is too sacred a thing in the eyes of Catholics for human interference—it must be left to man, his conscience, and his God. What they say to the Protestants is this:—"We do not mean to insult or offend, or wrong you, we do not desire to touch your spiritual Church; but we say to you, who are the richest portion of the population—do as we have done through many years of persecution and penal laws, discouragement, wretchedness, and poverty. You see what wonders we have done; what schools we have erected; what convents we have established; what noble cathedrals we have built — all this has been accomplished by the fidelity and the liberality of the Catholic people of the country—do you go and imitate our example." The operation of disendowing the Protestant Church would be a perfectly easy one. When I was in Chicago I saw a large block of houses, in which was a hotel, with people dining in it, ladies playing the piano in it, and everything going on as usual, which had been raised bodily by means of screws, and a storey built under it, and in which no single thing was disturbed in the process. The revolution which is necessary in regard to the Established Church in Ireland might be carried out in an equally gentle and delicate manner; and I think I am right in insisting that such revolution—if it may be called by that name—should take place at once in the interest of the whole Irish nation. The Protestant clergy, I am glad to say, are endowed with robust health; but they will, in the course of some remote time, gradually drop into the grave, and go to receive their reward in another place. There is no justification for the existence of this montrous anomaly—the Church Establishment in Ireland. It offends the religious pride of the people—it offends the humblest as well as the highest in the land, and, although Earl Russell thinks it will be a sad thing to disendow the Church, because all the farmers will lose the custom of the Protestant rectors for their eggs and butter, still, for the sake of religious equality and the consolation to their pride they can afford to sacrifice the profit of the egg and butter custom of the incumbents, some of whom may not live very long. The Irish people demand a settlement of this question—a question which has not in any way been submitted to a Commission, because Earl Russell's proposal was not adopted. They do not want to know anything about the emoluments of the Church; they do not care whether they amount to £500,000 or to £700,000 a year; they do not want or care to know whether this or the other Dean is having more than he ought in justice to this or the other curate, or whether bishops are starving on the miserable pittance of £3,000 or £5,000 a year; about matters of this kind, which only affect the internal arrangement of the Established Church, the Catholics of Ireland care very little. All they do know is that the Church Establishment is a badge of conquest, a badge of degradation, and the whole Catholic population of the country demands the settlement of this question upon grounds of right and justice. Now, I shall only say a word about education. For a long time Parliament has done its best to blot out the intellect of the Catholic people of Ireland. It has shown no respect for their consciences or convictions. It is not a great many years since it was penal for a Catholic to teach. A monstrous anomaly exists in Trinity College. The Catholic University has been, since its establishment, supported by the offerings of the faithful, given once a year as they went to mass. The national system of education in Ireland is practically denominational, but is replete with restrictions and annoyances. The Irish people demand a settlement of the question of education upon just and liberal principles. I will tell the House what they also want—and this is not merely sentimental—they want a fair share of public expenditure in Ireland. When the Irish people ask for that, they are told that they have it, and the police are always thrown in their teeth. [*Laughter.*] Yes, the £800,000 for the police is always thrown in their teeth; but that sum is spent to keep up an army to garrison the country. And Englishmen well know that, without the police, which is a mere military force, they could not hold the country for any length of time. Millions have been spent in dockyards and shipbuilding in this country since the time of the Union; but not a farthing, comparatively speaking, in Ireland. The people of Ireland, therefore, require a fair share of the expenditure of the country, and thus realizing the promises made at the time of the Union. There are all kinds of nostrums and panaceas for the cure of the grievances of Ireland. One panacea proposed for Ireland is to pay the priesthood. It is said, "Make stipendaries of the clergy, but do not touch one stone of the Established Church—do not meddle with the land question—leave the people helpless and miserable as they are—do not mind how disaffection grows; but be sure you pay the priests—that is all that is required for the settlement of the Irish question." Never did a more crackbrained policy enter into the mind of a crackbrained theorist than that fatal policy of paying the priests. The Irish people do not want a paid clergy. A paid priesthood would be fatal to religion and dangerous to the Empire. I well know how hard it is at the present moment for the Irish priests, who are the friends of law and order, to maintain their influence over an excited people. I know how their remonstrances are met by those who will not make allowance for the obligations of religion. They would have no paid priests. Now they obey their clergy; but once touch the latter with the gold of the State, and they will be converted at once, in the opinion of the people, from ministers of the Gospel into spies and stipendiaries. I warn the House against any such folly. Another panacea has been proposed, though the author of it has concealed his name, modestly shrinking from the admiration of England and the gratitude of Ireland. His plan is to settle the Irish difficulty by colonizing Ireland with the paupers and convicts of this country. And, whatever may be said of this person's wisdom, every one ought at least to respect his historical research; for really if we critically consider the former plantations, confiscations, and invasions of Ireland, we will understand how large a percentage of the pauper and ruffian element has thus been introduced into the country. That suggestion is not therefore without an historical parallel. There is a milder and gentler panacea, and that is the visits or residence of Royalty in Ireland. I am one of those who are in favour of a Royal residence in Ireland, and Royal visits; but as a panacea they are absurd. They may be useful, as some means of bringing about a better state of things; and, probably, if the Court set the fashion, absentees would be attracted to a Royal instead of a pinchbeck Court. There are many Irish landlords who know nothing of the country except through their rent-rolls, the communications of their agents, or the Irish correspondence published in the London newspapers. When the Queen had formerly visited Ireland she was invariably received with respect and loyalty; but her visits have been rare, and it is seldom that a member of the Royal Family has been seen in that country. There is, unfortunately, a belief in Ireland that in high quarters the Irish people are not considered in the same way as the English and Scotch; and although the Irish shed their blood on every battle-field for the maintenance of English honour, and though there are regiments of both English and Scotch Guards in England, not one regiment of Irish guards has been raised during the period of sixty-eight years which have elapsed since the Act of Union. Let a Royal residence be built in Ireland if it be thought necessary; but before this is done, let them lay the broad foundation of a better state of things—of a happier, because a more contented nation—and then, when the Royal Widow treads the shores of the Green Isle, a fervent prayer for her welfare will ascend to a higher tribunal than that of any earthly monarch—a prayer which will come from the hearts of a conciliated and grateful people. I have only to speak of two other panaceas—one the purchase of the Irish railways, the other emigration. With respect to the former, certain noble Lords in Ireland have been very busy in that movement, and I confess my concurrence with the project, for I believe that anything which will improve the internal communications of the country, and afford facilities for the transit of goods and produce, must be advantageous to all classes of society; but I will ask those noble Lords, many of whom are landlords of large Irish estates, and I will ask the Conservatives opposite, all of whom, I believe, are in favour of the project, and pressing it on the Government, whether, if there is an emigration drain going on year by year which diminishes the number who can travel by railway, and the condition of those who remain behind is not improved, where is to be the profit to the Government, or the realizations of the hopes of the promoters of the scheme? Again, if it is for the public good that £30,000,000 of Irish property in railways should be purchased by the Government, ought not Parliament from the same motive to deal with a larger and more important property —the property of the soil, of which the State is the head landlord, and which has been given by God for the benefit of all? With reference to the emigration question, it is said that the Irish difficulty will diminish every day as emigration progresses. It is a mere matter of figures. The annual loss is now at the rate of 70,000 a year, or 50,000 a year, making allowance for the births. At this rate, in fifty years, the population will be diminished to the standard of Scotland; but if the emigration were 100,000 a year, in a quarter of a century the Irish population will be reduced to 3,000,000. But what will be taking place in the meantime? Where are the emigrants going, and with what feelings? When people emigrated from England they went with love and affection for the old land, and wherever they went they sympathized with its glory and success, and mourned over its sorrow and adversity. But such is not the feeling of the Irish people with regard to this country. As they were driven from their homes, and compelled to cross the Atlantic with their families, they heard the inhuman, stupid, and ferocious shout, "The Celts are going with a vengeance!" With a vengeance they did go—and every league of the ocean they traversed only deepened and intensified their hate; and when they reached the free soil of America there was no more implacable enemy to England than the expatriated Irishman. The Irish nurse that hatred in their hearts, and wait for their opportunity; they teach it to their children; and that vengeful feeling born of misgovernment is thus transmitted from sire to son. There are multitudinous eyes in America fixed at the present moment upon the proceedings of this House. There is more than one kind of electricity. There are millions of electric currents which link together the heart and brain of a kindred people at both sides of the Atlantic. There is not an insult flung by some wanton tongue or ribald pen that does not fester in the minds of the Irish people in another land—not a wrong done that is not felt and resented there. Do not imagine that you get rid of the Irish difficulty by getting rid of the Irish people. The difficulty is not diminished because it is transferred to the other side of the Atlantic. I admit that the American Government are bound by international obligations; but the day may come — and I deplore its possibility in bitterness and sorrow, because I desire peace and tranquillity in my own country — when the Irish in America will endeavour to exasperate a quarrel with this country, in order that they may have the opportunity of wreaking a long-standing vengeance. But it is said that, inasmuch as emigration is diminishing, it is a proof the condition of Ireland is improving. A few days since the Lord Lieutenant of Ireland congratulated the country on a diminution of emigration. This apparent diminution is, however, only caused by the fact that there is greater depression at the present moment in America than there has been for many years, and the Irish people there warned their friends at home against emigration at such a time. I believe that emigration will go on from year to year, and there is only one way of making that emigration not dangerous — namely, by sending friends, not enemies, across the Atlantic. A noble Lord said the other night, we cannot touch the Irish in America. That is true; the Irish there have full liberty to speak and plot against this country; and you cannot suspend their constitutional freedom, or incarcerate them under a Lord Lieutenant's warrant, or seize them by the throat if they hesitate to give their names. They are beyond your reach and authority. I desire that they should be deprived of the power of doing injury; and I will tell the House how to do it. Let us throw to the winds all wretched prejudices, either sectarian or in reference to fancied rights of property. The interests of landlord and tenant should be identical, for unless the tenant has an interest in the soil it cannot be good for the landlord, and must be dangerous for the people. Let the Irish question be settled on broad principles of right and justice. The right hon. Gentleman opposite (Mr. Disraeli) taunted Sir Robert Peel twenty-four years ago with not bringing in a large and comprehensive scheme with respect to Ireland. I shall not taunt the right hon. Gentleman, for whom I have the greatest respect, as one who has risen to the highest position attainable by a British subject, and thus gained the fitting reward of his great services and his genius. I do not taunt the right hon. Gentleman, or speak in a party spirit, when I say it is the duty of the Government to make the Irish people contented and happy at home. We can make the farmers of Ireland the truest Conservatives, by giving them leases and protecting the property they had themselves made — in fact, by raising up a barrier against fraud and tyranny on their behalf, they might be made the warmest friends and best allies of this country. It may be asked by Englishmen, "What do you promise? What hope do you hold out to us if we really do our best for Ireland? If we admit past wrong and present neglect; if we admit that we have blundered, and are anxious now to do our best to conciliate the people and remedy their grievances, do you promise us peace and tranquillity in future?" My answer is, First of all, let us do right. Hitherto you have done wrong, or done nothing to atone for that wrong; and you have reaped the consequences—discontent, disaffection, and periodical outbreak. But let us do right, and I believe that in time good consequences will result from our measures. There has been a demand for the repeal of the Union. I, for one, refused to sign the document presented to me with that object in view—not only because I dislike agitation, but because I still believe in the wisdom and the justice of the English people, and that the wrongs of the past can no longer be permitted to exist. I have faith in the exigencies of the moment, and in the statesmanship of those on this side of the House, if not in that of the occupants of the Treasury Bench. Let us do what is right, and I believe we will conciliate the farming class as well as the urban population. Let Parliament do its duty to Ireland if it wishes to bring about contentment and tranquillity; and towards this result you will have the assistance of the Catholic Bishops and clergy. I believe that an earnest appeal would be made to the Irish in America to stay their hands, to cease their agitation, and to refrain from attempting to promote the good of the people of Ireland by revolution. I know that masses of the Irish people are opposed to violence or bloodshed; and all I ask for in their name is common justice —that the English Parliament will act towards Ireland as they do towards this country; and that having assumed a responsibility by depriving the Irish of the power to legislate for themselves, they will legislate for them as they do for the honour and happiness of the other parts of the British Empire. Whoever is the Minister who does this great work that will pacify Ireland, on whatever Bench he may sit, his name will be glorious in the annals of his country. I hope in God that I may not leave this House until I see the broad and deep foundation of Irish prosperity and contentment laid by a Minister who will thus redeem a country and save an Empire.

Motion made, and Question proposed,

"That this House will immediately resolve itself into a Committee, with the view of taking into consideration the condition and circumstances of Ireland."—(*Mr. Maguire.*)

MR. NEATE said, that if the terms of the Amendment, of which he had given notice, were deemed too aggressive, he would alter them, so as to give a more fitting expression to his meaning, which was that general debates, opening the floodgates of eloquence upon the whole subject of Irish history and wrongs, defeated rather than promoted practical amelioration. The proposal of chimerical schemes, by vainly raising the hopes of the tenantry of Ireland, prevented that co-operation of landlord and tenant by which alone the interests of both could be secured. He had heard nothing in the speech just delivered which led him to think he was wrong in the purport of his Motion, for the hon. Member had said nothing which would facilitate the settlement of any great question. He had uttered some things which were not to be expected from him, and which could be taken only as worse than useless provocations of the spirit and loyalty of the House and of the English people. The hon. Member did not dwell much on the present sufferings of Ireland; he had no cause to do so. He (Mr. Neate) believed that there was more misery to be found at the present moment, at the East End of London, within three miles of that House, thant here was in all Ireland. No one had felt and expressed more sympathy with the wrongs of Ireland than himself. He visited Ireland just after the famine of 1847-8, when the country looked as if had been laid waste by an invading army. He had thought what Irishmen must have felt when they were driven abroad in search of a sustenance which their own country did not afford them; but, after all, too much stress should not be laid on that, for other countries had contributed their millions to the population of America. At least we had by legislation made better provision for the safety and comfort of our Irish emigrants than the Germans had done for their emigrants. He had sympathized not only with innocent, but also with guilty Irishmen—with those who were now beyond the reach of human sympathy. He sympathized with them, because these unhappy and misguided men thought they were avenging the cause of an injured country, and they believed, from what was said by the public press and sometimes in that House, that the wrongs of their country were such that Parliament would not recognize them, and would take no pains to remedy them. Until then he had considered the hon. Member for Cork (Mr. Maguire) an exception from the use of such language; but just at the end of what might have been a bloody rebellion—the embers of which were scarcely extinguished—he had that night stated that, under present circumstances, those who were loyal would be no better than slaves. He (Mr. Neate) felt the greatest sympathy for the misery of Ireland, and he had sympathy also with the landlords of Ireland. He did not mean the sympathy inspired by pity, because they would reject pity; but the sympathy which one naturally felt for men who were objects of undeserved attack, who were condemned without trial, and who found themselves foiled and disappointed in all their attempts to bring themselves and their tenants into a better condition. As to the particular charges which had been brought to-night against certain Irish landlords, he would leave those to be dealt with by hon. Gentlemen on the Treasury Benches, some of whom were probably acquainted with the facts. But he could not see why Irish landlords should be especially singled out for animadversion more than those of Scotland and England. Irish landlords were far from having the absolute power that English and Scotch landlords possessed, and one of the great obstacles to a better state of things in Ireland was the want of such a power. He did not say that it might not be occasionally abused; but if Irish landlords had the same power in dealing with the occupation of their property, as was possessed in England and in Scotland, it would be on the whole beneficial to the country. It was true we did not know what Irish landlords would do if they had the power; but we did know what they had not done. They had not laid waste large tracts of country for the purpose of converting them into recreation grounds for wealthy Englishmen, as had been done by the landlords in Scotland. If the great landlords in Galway, Mayo, and Donegal had evicted their tenantry in order to form deer forests, would any terms of execration have been too strong for them? Again, there was no such failure of duty on the part of landlords in Ireland as that which was implied in the labour of women and children in gangs, like those in the Eastern Counties of England. There was therefore no reason for the special reprobation of Irish landlords; and, though it might be invidious to draw a comparison, he believed that they were more necessary than the landlords of any other part of the United Kingdom. If the English landlords were extinguished, they would leave behind them a substantial and educated tenantry; and there would be some means of carrying on the government of the country. He did not mean to say that the English landlords would not be greatly missed, and that the character and tone of English society would not by their extinguishment be greatly lowered; but if they were sent to pass the remainder of their days in Naples, Rome, or Paris, a substantial and educated middle class, used to the administration of local affairs, would supply their places, however inadequately. If, however, the Irish landlord went, there would be nothing behind him but an approach to anarchy and chaos. It might be thought a work of supererogation to defend landlords in this House; but they must look a little to what was thought and said, or was likely to be said, elsewhere. He was chiefly addressing himself to a remarkable work which most Gentlemen had read, lately published by the hon. Member for Westminster (Mr. Stuart Mill). Fortunately the hon. Member was now present to hear what was said, and as the last thing he would dream of would be to shrink from defending his opinions, the hon. Member was no doubt prepared to justify his recommendation of the "happy despatch" to Irish landlords. The proposal of the hon. Member partook of the simplicity of Japanese despotism, though Irish landlords were not likely to accept it with the resignation of Japanese daimios. At any rate, speaking as an Englishman, he was quite taken aback when he read the publication of the hon. Member. He thought that nothing like it in the way of Reform had been proposed since the scheme of that great English Reformer in the time of Henry VI., whose head was cut off by a loyal English gentleman of his own county, with the general approbation of society. He spoke of a man commonly known as Jack Cade, though really he did not know why we should speak of the gentleman in that familiar and disrespectful manner, or why he was less entitled than any other English Reformer to the use of his full Christian name of "John." It might appear startling to compare the two men; and a month ago he should have drawn a very unfavourable contrast between the violence and rapacity of Jack or John Cade and the mild philosophy of the hon. Member for Westminster. Now, however, he thought there was more practical common sense in the scheme of Jack Cade. That gentleman acted in the spirit of—

> "The good old rule, the simple plan,
> That he should take who has the power,
> And he should keep who can."

He meant to drive out or extirpate the landlords of England, and to put in their place followers of his own, who would be real landlords, and who would not start with a millstone round their necks, like the men whom the hon. Member would substitute for the present landlords in Ireland. The scheme of the hon. Member was, that everyone now in possession of land, with a holding for a year, should have that holding converted into a perpetuity. But why should the benefit of that revolution be confined to those who, by the chance selection of a landlord, or from a variety of more or less accidental circumstances, happened for a short time to have obtained possession of a piece of land? Most people had heard the story of the Cornish clergyman who, when news of a wreck ashore was brought to his congregation during Divine service, and when some of them were edging away for a purpose which he well understood, called on them to stop, in order that they might all start fair. Well, then, the labouring classes and others who did not chance just now to hold any land in Ireland, might ask why they should not "start fair," and why they should be shut out from a scheme which would place them in a worse position than they were in now? At present the Irish labourer might become a small tenant, and the small tenant a larger one; but the hon. Member would stereotype the position of these men, and instead of doing away with the difficulties which now caused a conflict between persons who had land and those who had no land, he would only move those difficulties down to a lower sphere, a sphere less amenable to control, and would thereby greatly intensify them. With the scrupulous honesty which characterized the hon. Member, he proposed to give to the landlord the full value at the present time of his land, with something more for the prospect of future increase when that increase was not owing to the industry and capital of the new owner. If the estate were likely to rise 10 per cent in value the landlord could not be so wholly useless as was pretended. If the landlord had so failed in the performance of his duties as some alleged, why give him anything at all for increase of value? The rent was to be put up at the full value, and 10 per cent was to be added for prospective increase. But the hon. Member had forgotten to take into account the residential value of the landlord's estate. It could not be supposed that the landlord would continue to reside after he had lost all the advantages which attracted a resident proprietary. Some one must pay for the residential value of the landlord's house and grounds, and was that to be added to the rent, or was the House to be called upon to pay it? Then, the hon. Member must allow for the great increase of rates which would follow. The landlords now did a great deal of work as magistrates, for which they received no pay, and if they were got rid of there must be a great increase of stipendiary magistrates. Then, the landlords, although they were not altogether free from the charge of fomenting religious differences did their best, as a rule to restrain the combative propensities of the people about them, and endeavoured to make them live in peace and amity with each other. If they removed the landlords there would certainly be a great deal more fighting among the inferior orders. Then, everyone knew how difficult it was to keep the tenants from quarrelling about boundaries and fences. The influence of the landlords went a good way to prevent these disputes, and if the landlords were got rid of there would be a qreat deal of quarrelling, and many more breaches of the peace. An increase of the police would be necessary, and this would lead to an increase of rates. What was to become of the country towns which would be without customers, and would not the imports and exports of the seaports be materially curtailed? Another result would be that the moral and religious tone of the country would suffer. The priesthood would decline into the likeness of those among whom they laboured, and would become more vulgar and illiterate, and they would have Anglican, Presbyterian, and Roman Catholic clergymen quarrelling, not so much for the souls as for the purses of the people. What would become of Dublin as the capital if there were no gentry in Ireland? What would become of the Universities, if they drove from Ireland all those who cared for a higher education for their children? Did the hon. Member suppose that he would add anything to the peace and prosperity of Ireland by thus curtailing every element of her well-being? Such a course would be as far removed from the conclusions of practical wisdom as the declaration of the caitiff reformer in Shakespeare's play, that there should be in England seven halfpenny loaves sold for a penny, and that the three-hooped pot should contain a quart of beer. What was the excuse of the hon. Member for dealing in this exceptional way with the landlords of Ireland? The hon. Member in one passage of his pamphlet referred to the foreign invasion of which Ireland had been the subject. He should like to ask the hon. Member to look round Europe and tell him whether he could find any property that had not been founded on spoliation and conquest; and whether he could find any country in which there had been so little spoliation and conquest as in Ireland? He (Mr. Neate) was lately reading a book by a French author, entitled *The Four Conquests of England*, in which the writer pointed out that the people of this country owed the great qualities they possessed to those conquests. Ireland had never been really conquered once in the same way that England had been conquered four times. Ireland never had the Romans; the first that the Irish heard of Rome was when a Roman Pope—to whose successor some Irishmen were so much attached—sold or gave them to England. Of the Danes it was not necessary to speak. The Saxons were the most exterminating conquerors under whom a country had ever suffered; and they never troubled Ireland at all. It became the turn of the Anglo-Saxons to be conquered, and they suffered more from the Normans than the Irish had ever suffered from us. But observe the difference in the way in which the English and the Irish met their adversities. The English did not sit down to weep by the banks of the Thames and the Severn:

> "Some natural tears they shed, but wiped them
> soon."

They did not go about nursing a sentimental grievance, with a weed in their button-hole or a vegetable in their bonnets. They did not keep up a vain remembrance of a nationality of which the reality had passed away. But having stood up bravely and manfully in defence of the land, they bowed themselves down to work on the soil which they no longer held; and they re-conquered by their patient industry what they had failed to defend by their valour; and at length they stood up again the equals, the brothers, and associates, in language, arts, and feeling, of that race which had come amongst them as conquerors, and whose hand had been heavy upon them—far heavier, in fact, than ours had ever been upon Ireland. Thus England became a great nation, and why had not Ireland done the same? The only portion of Ireland that had been really conquered by us was the North, and that was the only part where things went on well. There was no country in Europe where the conflict of races had been the cause of so little disturbance as in Ireland, or where there had been so ready an assimilation between the different races. There was something so winning in the Irish manner—something so contagious in the Irish character—that Englishmen living amongst them were apt to become, according to the ancient proverb, *Hibernicis ipsis Hiberniores*. Hence, for a long time laws had been made, not to prevent feuds between the races, but to prevent the English settlers from being absorbed by the Irish race. Thus, it was forbidden to put an English child in charge of an Irish fostermother; but the limitations of the English Pale are really intended not so much to exclude the Irish from the benefit of English laws, as to restrain Englishmen from giving way to the temptation of entering upon Irish life. There seemed to be something about the climate which had a tendency to make men adopt easy, listless habits, or habits of but desultory industry. No doubt the Irish peasant farmer looked back to a time that never existed, when the country was divided into a large number of small holdings. It might be possible to divide it into a greater number than at present, and by certain advantages to make the lot of the Irish tenant one that the English labourer would look upon with envy. But if he were to be maintained in that condition, that could only be done by securing him against the temptation to the multiplication of his species, and guaranteeing the certainty of the potato crop. Unless the population could be kept within narrow limits—as was the case in certain Continental countries—which alone could make the minute subdivision of land endurable or possible, the Irish small holders would only be put into a state from which they would fall into the same condition that in 1846 culminated in famine and pestilence. Even if they could reduce Ireland to that state in which its whole soil should be divided among the small holders, whom they could either persuade or compel not to further subdivide it, he said it would not be desirable to do it. It could only be done by means of the resources, the power, and the skill of England, and by preventing Ireland from taking her part in the race which all nations were appointed to run. The only consequence would be that the prosperity of Ireland, artificially stimulated, would never become a healthy and vigorous native of the soil. There was one principle upon which sound economical progress must be based, and that was the production of the greatest results with the least possible labour. There could be no doubt that labour on a large scale, judiciously applied with the assistance of capital, yielded a greater return than labour on a small scale, and Ireland could not hope to escape from the ordinary conditions of material prosperity. There might be peculiar difficulties which beset her path, and among them was the want of that variety of industries to which the hon. Member for Cork referred. But whatever her difficulties were, they must be overcome, and the only man who could accomplish that was the Irish landlord, or at least the work could not be done without him. He believed the landlords of Ireland, as a body, were conscious of the duties which devolved upon them, and also desirous of fulfilling them. Any one who read the Report of the Committee of the House of Lords, which was published last year, and in which the evidence chiefly of agents of the great Irish proprietors was given, would find that there was no indisposition on the part of the landlords to consider any feasible and practical method of reform. He would rather leave it to them, under the pressure of public opinion, than obstruct their progress and render the improvements which they designed almost hopeless, by precluding the possibility of united action between them and their tenants. Before sitting down, he wished to express to the hon. Member for Westminster the great regret he felt in being obliged, as a brother political economist, though a humble one, to denounce what he conceived to be the rashness of his scheme. He had a high respect and admiration for the talents, for the honesty—and he would have added, a month ago—for the excellent wisdom of that distinguished Member. In saying that, he did not forget that the principles of which the crude and extraordinary proposal of the hon. Gentleman was the result, were in exact accordance with the principles which he had been teaching for many years—principles which were taught by the Universities, and at the public expense. He would remind the right hon. Gentleman opposite (Sir Stafford Northcote) that all those who went out to India to take part in the civil service of that country were, as he (Mr. Neate) could state—for he had himself examined them—imbued with the principles of which the proposal of the hon. Gentleman was the legitimate consequence—only in his (Mr. Neate's) opinion it was premature. When people were told at church that in the midst of life they were in death, the lesson made little impression on them, but they felt a great shock when the doctor told them that they were not likely to live a week longer. A similar effect was produced by the hon. Member's pamphlet. He knew that the state of things suggested by the hon. Gentleman would happen some day; but he had no idea that this was the last Session during which the Irish landlord would be allowed to exist. Just as warning men of their mortality might rouse them to a sense of their duties, and make them try to extend their days as much as possible by observing the conditions of health, so he hoped that the English and Irish landlords, when reminded of the brevity of their lives, would strive to prolong as far as they could—probably it would not be for ever—the term of a useful and honourable existence. The time might come when they would disappear, though he did not himself wish to see it, still less to have any share in bringing about "the beginning of that end." At present the House had nothing to do with such speculations. What it had now to do was to clear from its path the lumber—he had almost said the rubbish—that incumbered it, and to express, as he ventured to think it should on that occasion express, the feeling with which it viewed all such schemes as those which he had denounced, or any schemes approaching to them. At any rate, the House ought to declare, in some form or another, that however desirous it might be to devise any practical remedy, if, indeed, there were any better remedy than that of leaving them alone; for the evils of Ireland, that practical remedy must be one consistent with the laws of property, and not at variance with those principles of political economy and political wisdom under which England had grown great and prosperous, and by means of which Ireland might do the same if she did not disdain to follow our example. In conclusion, he trusted that Ireland, turning her back upon the past, would look with brighter hope, with renewed energy, and above all with a more united spirit, to that better future which might yet be in store for her. The hon. Gentleman concluded by moving his Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the constant recurrence of impracticable resolutions and the proposal or suggestion of extravagant and impossible remedies are the great obstacles to the restoration of peace in Ireland, and to the prosperity of the Irish people,"—(*Mr. Neate,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Amendment, by leave, *withdrawn.*

SIR FREDERICK HEYGATE rose to move as an Amendment to the Motion of the hon. Member for Cork—

"That, before the consideration by this House of constitutional changes in the laws and institutions of Ireland, it is both just and expedient to inquire into the causes of alleged discontent, and the best mode of remedying the same."

He thanked the hon. and learned Member for the city of Oxford (Mr. Neate) for the very valuable and instructive address he had just delivered, but he thought the Amendment which had just been withdrawn, although undoubtedly true to a certain extent, could scarcely have been adopted as it stood by a spirited Legislature. He had no desire to interpose his Amendment between that of the noble Lord (Lord Arthur Clinton) and the Motion which had been made, but he thought the Amendment of which notice had been given by the noble Lord was impracticable. Whatever weight was to be attached to the theories and writings of political economists, he believed often there was more wisdom in the views of those who had to deal with the practical difficulties and grievances complained of. The deplorable condition of Ireland was rather assumed than proved to exist, and he did not think they ought to proceed to legislate. The hon. Member for Cork (Mr. Maguire) began his interesting speech by stating that he should prove that Ireland had fallen off both in trade and agriculture; but he did not offer to the House anything which was really conclusive upon that proposition. It was therefore desirable, when they were examining the condition of Ireland, to take a short retrospective view of the progress of the country, and it was absolutely essential to do so before they proceeded by a novel course of legislation completely to upset all its ancient institutions. Even supposing the country reduced to such a deplorable state as was contended, it would become their duty in the first place to consider the causes, with a view to remedy the evil they had produced. But he altogether denied that there had been during the last few years such a state of stagnation in Ireland as was alleged. He quite admitted that the condition of a country was serious in which there was so much disaffection that it had been necessary for some time to suspend the Habeas Corpus Act. At the same time he believed that the causes of that disaffection would, on examination, be found not to be of domestic origin, but to have had an external source. They had, in fact, sprung from an external agency, over which this country had no control. He thought that a comparison of the statistics of the country, which had recently been collected by Mr. Donelly, who was an undoubted authority, would throw a great deal of light upon the question of the condition of Ireland; and the arguments of the hon. Member for Cork, when examined by that light, would, he thought, be found very fallacious. The Lord Lieutenant, on a late occasion, had made use of these statistics in reference to the material progress of Ireland; the same figures had been supplied to him (Sir Frederick Heygate), and they were very remarkable, as showing the great advance that country had made. In 1860 the value of the cattle, sheep, and pigs in Ireland, according to those statistics, was £43,579,626, and in 1866, £45,439,418. In the former year the value of corn and other crops was £27,447,556; and in 1866, although in the meantime the attention of agriculturists had been turned more particularly to grazing, it was £27,045,480, or not £500,000 less. The value of the imports, which in 1856 were £4,537,426, had risen in 1866 to £7,878,629; and if they took the statistics of the port of Dublin, which was a very good index of the state of the whole country, they would find that the revenue of that port in 1837 was £14,334, in 1857 £26,702, and in 1867 £44,569, being an increase in the latter ten years of 66 per cent; while that of the port of Liverpool had only increased in the like period 25 per cent, it being in 1827 £134,472, in 1857 £374,295, and in 1867 £468,160. The total tonnage of Dublin last year was 1,434,022 tons, while in 1857 it was only 880,844, being also an increase of 66 per cent. The gentleman who furnished those statistics also stated that he had not the least doubt but that, for the cries raised by the grievance-mongers, the comparison between the ports of Dublin and Liverpool during the last eight months would have been equally satisfactory for Dublin. But the hon. Member for Cork, while on this subject, quite omitted to refer to the progress of Belfast, which to say the least of it was not a little remarkable. In 1862, the value of the export of linen yarns, &c., from Belfast, was £6,200,000; in 1863, £8,000,000; and in 1864, £10,000,000, and he had no doubt that if he could get the Returns of the last two years he should find a still greater increase. Then, again, in the short space of four years the number of spindles in Belfast had increased from 650,000 to nearly 1,250,000. The Customs duties paid in Belfast in 1864, were £382,000, and in 1866, no less than £702,000, while the imports in 1856 were £4,500,000, and in 1866, £7,878,000. But there was another kind of statistics which showed more conclusively than any the condition of the country, and that was the criminal statistics. How did they stand? In 1846, there were in Ireland, 18,492 criminal prosecutions, and 8,639 convictions; they increased in 1849 to 41,987 prosecutions, and 21,202 convictions; but that was to be accounted for by its being immediately after the famine, for in 1866, they declined to 4,326, as against 18,492 in 1846, and 2,418 convictions as against 8,639. He thought, then, notwithstanding the eloquent denunciations of the hon. Member for Cork, the country must rather have progressed than retrograded; and it was quite certain that in many parts agricultural wages had risen from 5*s.* to 9*s.* a week. Everyone who had travelled, as he had, throughout the country, must have remarked the improvement which had been made during the past fifteen or twenty years; and that improvement was the more remarkable because it was almost entirely an agricultural country, and had not the resources of minerals and gigantic trades and manufactures like England. The country had recovered from the blow inflicted by Free-trade. The farmers, acting upon the advice given them—for following which they were now soundly abused—had turned their attention to the breeding of cattle; and though much, no doubt, remained to be done, the face of the country was infinitely more cheerful and prosperous than it was twenty years ago. Well, then, what was the cause of the disaffection of the Irish? Three years ago, the civil war in America came to an end, and thousands of armed and lawless men, trained in that war, found themselves without employment. Many of them came over to this country, and made some little stir; but it was not till the newspapers in Ireland, day after day, and week after week, published statements, many of which were only intended to serve the purpose of the hour, and were utterly fallacious and absurd, that any great effect was produced, and the minds of the people were excited. Those statements were calculated, and probably only intended, to enrich the proprietors of the newspapers in which they appeared; and some of the most influential of such proprietors had seats in that House. In 1865, a considerable effect was produced. More men came from America, yet still England took little or no interest in the matter, and it was in fact only when there was a rumour of an attack on Chester Castle, when the Fenian attack on the police van at Manchester was made, and when the Clerkenwell explosion took place, that the minds of the people were thoroughly aroused, and everybody was asked to destroy the institutions of Ireland, to abolish the Irish Church, and to put an end to Irish landlords. In fact, it was then, and then only, that the attempt which was made to persuade the people of England that there was a vast amount of disaffection in Ireland was in any degree successful. His experience and knowledge of the Irish people led him to distrust many of the statements which had been made as to the vast extent of the Fenian conspiracy, and he did not hesitate to say that if an impartial inquiry could be made, the Fenians would not be found to be nearly so numerous as had been represented. But what was the remedy now proposed? It would drive away all the capital from the country, and make its condition ten times worse. He did not think, notwithstanding the complaints which had been made in that House of postponing the introduction of the Irish Reform Bill, that the two questions of the condition of Ireland and the Reform of the representation were at all mixed up together. As to Reform, he believed the people of Ireland were wholly indifferent to it, and in that indifference he fully shared. It would make little or no difference to Members whether they were elected by a constituency who paid a rent of £12, £10, or £8, but at the same time he would leave the House to imagine what class of the population it was which only paid the latter rental. As to re-distribution, it was unnecessary in Ireland, for he believed that there was not a single town in it which deserved representation that was not already represented. Personally he was wholly indifferent on the question. Then they were told that they must disendow the Church of Ireland; but he must confess that, even admitting that it was right to put all religious classes on the same footing and endow none of them, he doubted whether it was expedient to carry that principle into effect in such a poor country as Ireland. They were told that the Irish Church was a great anomaly, because it was not in accordance with the creed of the people. But the same persons who used this argument said that Ireland was not a separate country from England; and if that was the case certainly the Established Church was the Church of the majority. He did not intend to enter upon a defence of the Irish Church to-night, but he wished to correct a statement made by the hon. Member for Manchester (Mr. Jacob Bright) at a meeting in that city on the 10th of last month. A similar statement had been made on previous occasions, and had been frequently contradicted; but, unfortunately, many persons who heard a misstatement did not hear the contradiction, and he had therefore been requested to notice it in the House. The hon. Gentleman said there were 1,539 parishes in Ireland, each containing less than 100 inhabitants belonging to the Established Church, and that there were 199 parishes without a single member of that communion. Now that, if true, would be a serious fact, but what was really the case? There were a great number of parishes having only one benefice between them, there being in one instance 16 parishes grouped together, in another 13, and in another 11; but the hon. Member had fallen into the mistake of supposing that each of these parishes had a separate clergyman with a separate income. The fact was that the hon. Gentleman had confounded benefices with parishes. [Mr. MONSELL: You mean union parishes.] Yes, union parishes. There were only 469 benefices in which the number of Protestants was under 100, and of these 63 had been suspended; and of the 199 parishes in which there were no Protestants 145 were portions of benefices in which there were congregations, 35 were suspended and the income was diverted, 18 had no income, and one had a congregation and service, the people coming from another parish. When so much was said against the Irish Church it was right that the accusers should at least be accurate in their facts. He believed that if the population could be polled on the subject of the Church, as the hon. Member for Birmingham (Mr. Bright) had once suggested, the result would be very different from that anticipated by agitators for its abolition. Before they agreed to abolish the Irish Church he wished them to remember that its members were among the most loyal subjects of the Crown; that there was not a Fenian among the whole of that community. He made no boast of that; but still it was very hard that after they had behaved so well as they had done their institutions should be the only ones singled out for attack. Were the Protestants of Ireland to be punished for a state of things which had not been caused by their fault? With respect to the land question, it had been so often discussed that he almost despaired of saying anything new on the subject. Speaking as an Irish landlord, and on behalf of others of his class, he would ask the House to bear in mind that they had the greatest interest in the prosperity of the country, and that they were not pursuing the suicidal policy which had been attributed to them by the hon. Member for Cork. There had been a good deal of comment on the emigration which had for some years been going on, but in hardly any case had this arisen from the action of the landlord. It had arisen from the spontaneous action of the tenantry, and when once set a-going it had gathered like a snow-ball under the double attraction of affection and interest. Emigration, however, was not peculiar to Ireland. Was not London, and was not every large town in England thronged with people who had removed from their native parishes? He believed it was the fact that in London every other man one met, if asked where he was born, would name some other part of the country. Wherever one looked people were induced, by the expectation of bettering their condition, to leave the district where they had been brought up, and this universal law was so powerful with Scotchmen, that, to their credit be it spoken, they filled almost every post in India. Had England, therefore, been left without any trade or commerce, she would have been a very different country from what she was at present, even though she might not have been reduced to so low an ebb as Ireland. The latter country was by no means so fertile as was commonly supposed, for there was a very large extent of high and poor land, the fertile portions being those in the neighbourhood of rivers. The hon. Member for Cork had made a violent attack upon the London companies, but he ought to have remembered the condition of their estates at the time they entered into possession of them. They were not anxious to buy them, far from it; but they were forced to do so by the Corporation of London, carrying out the orders of those then in power. The condition of Londonderry, much of which was at that time a morass or uncultivated, would now bear comparison with that of any part of the United Kingdom. The proprietors could not, of course, be resident, but they had excellent agents, whose interests were as much bound up with those of the tenantry as with those of the landlords, and instead of the companies drawing large sums from their estates, the fact was that they got but little net return. For years and years they had been spending large sums on their property, and, after all, they got but a very moderate return. Moreover, part of the companies, though still existing in name, had years ago disposed of their estates, which had been cut up in some instances into small holdings. The Mercers' Company had been stigmatized by the hon. Member for Cork as stupid and bigoted, but the right hon. Gentleman opposite (Sir Roundell Palmer) was a distinguished member of it, and he could give other names at which the hon. Gentleman would probably be astonished. No doubt some of the companies might have misunderstood local questions; but they were anxious to do their duty, and were not afraid to face any investigation that might be set on foot. Parliament should endeavour to do justice to all the interests of the country, and he was sure there would be no objection in any quarter to a calm and deliberate inquiry into the condition of the land question, with the view of meeting the justice of the case and of giving tenants compensation where it was properly due. A great question of this kind ought not to be dealt with in a hurried manner. There ought first to be a serious inquiry into the whole state of Ireland, for although the Church, land, and education questions had been subjected to separate examination, there had been no inquiry into the collective bearing of all these matters on the condition of the country. Before committing themselves to precipitate action, Parliament should reflect how desirable it was that stability should be given to Ireland, and that nothing was worse than perpetual unsettlement. They asked for peace, but let them do justice and hope that would come. He spoke as the representative of a part of Ireland—Ulster—which had never given any anxiety or trouble to this country. He himself had always, for a good many years now, taken a most moderate part, so far as he could, in the affairs of the country, and he could only entreat the House not to deal with this question in a hurried manner, but to take time to consider it fairly, and, whatever they did, to do justice. The hon. Baronet concluded by moving the Amendment of which he had given notice.

Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "before the consideration by this House of constitutional changes in the laws and institutions of Ireland, it is both just and expedient to inquire into the causes of alleged discontent, and the best mode of remedying the same,"—(*Sir Frederick Heygate,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD ARTHUR CLINTON said, that he might perhaps say, in excuse for himself, that the name and the subject of

Ireland were not unfamiliar to him. There were some there who knew that even in his early years he had been taught by one now no more, but whose memory he revered (the late Duke of Newcastle), to regard that country with interest and with affection, and he was only following out those feelings if he could ever so humbly do anything that might tend to the good of Ireland. He wished, however, distinctly and emphatically to say, that he had no party object whatever in view. The Resolutions he had put on the Paper had not been framed in concert with the Leaders or Members of any political party in that House. He really did not know what effect their discussion might have on the fortunes of any party. He was at that moment unaware how they would be received by any party. His only object was to bring fairly and temperately before the House a subject which was of far more consequence to all of us than the failure or success of any Ministry or any Opposition ; and his only wish was that every Member of the House should judge of these Resolutions on their own merits alone. The Resolutions affirmed that discontent and disaffection existed in Ireland. He did not think it was necessary to accumulate the proofs of this. He had no wish to exaggerate the strength of the conspiracy called Fenianism. He was quite willing to believe that the great majority of the people of Ireland had kept aloof from projects of rebellion. But, if Irish discontent and disaffection did not exist outside the Fenian conspiracy, that conspiracy would never have given us one hour's uneasiness or alarm. It was enough for his purpose to say that the people of Ireland were not living happy and contented under their Government, as the people of England and Scotland were under theirs; and he believed there was no thinking man in this country who did not feel that if it were possible to make the Irish as contented and as loyal as the English and the Scotch, no sacrifice would be too great to attain that result. He looked upon the question from an English point of view. Ireland's discontent was our weakness. He was sure that if we could sum up the money which, since the Union, we had spent in quelling Irish discontent, it would startle the Chancellor of the Exchequer. He wished we had even a Return of what Fenianism had cost within the last three years, the cost of troops, and flying columns, and special Commissions, what had been spent upon lawyers and informers and soldiers and sailors. But, unhappily, the money expenditure was the least of the evil. Ireland was our weakness and our discredit all over the world; and when an Irish Minister had proposed the suspension of the Habeas Corpus Act for the third successive year, it was time for us seriously to think whether we could go on for ever governing that country by force. He would not waste time in proving that both the honour and the interest of England were involved in the tranquillizing of Ireland. It was self-evident that we weakened the Empire when we kept a third of the United Kingdom in a state of discontent. This discontent proceeded from our own mistakes in government. He used no harsher term. He believed that many accusations that were made against the English Government and people in respect to Ireland were unjust. Even as to past times they were exaggerated. But at present he was sure there was a real and a sincere wish on the part of the great majority of the English people to deal justly and fairly by Ireland. We wished to do good to that country; but he must say that this disposition was greatly spoiled by the fact that we insisted on doing it in our own way, and not in theirs. We treated Ireland as we thought Ireland ought to be, and not as the Irish chose that it should be. Many of us thought that Ireland ought to be Protestant, and that therefore we did good to Ireland when we forced on it a Protestant Church. We thought that Irish parents ought to wish for an education for their children free from priestly control, so we forced on them what we call mixed education. Upon these and many other subjects it was very possible that our notions were right. But for application to Ireland they had one fatal defect—the Irish people differed with us. No matter how good our notions were, when we forced them on an unwilling people, we were really continuing that which we had been trying for 700 years. We treated Ireland as a conquered and subject country when we were making the will of another country the rule of their domestic institutions. He believed that the true theory of the union of the three Kingdoms, was that in all matters of local and domestic concern the people of each country should feel that their affairs were managed according to their own wishes. Upon all matters of Imperial interest the decision of the general body must prevail;

but upon matters affecting the domestic and home concerns of each country the wishes and feelings of the people of that country should prevail. It was so in Scotland; it was so in England. Neither Englishmen nor Scotchmen would endure anything else. It was not so in Ireland. Could we wonder that Ireland was discontented? In the Resolutions he asked the House to confess this fact, and to give a pledge to the people of Ireland that this system of government should cease, and that, no matter what might be the amount of change which it might involve, in all that related to their domestic concerns—in such matters as the education of their children, the endowment of churches, and the laws relating to the tenure of land—we would be guided not by English wishes or English notions, but by the feelings and wishes of the Irish people themselves. He could not agree with some who had said that no practical good would be gained if the House affirmed such a principle as this. He knew it had been said that these Resolutions were not specific enough to be practical. He did not know how they could well be more specific, unless they assumed the form of Bills. They pointed out the grievances that existed; they distinctly laid down the principle upon which these grievances should be remedied; it was for the Executive Government to carry out the details. But if the House declared such principles in real and true sincerity, and Statesmen set themselves in true and real honesty to give effect to them, there would be little difficulty in carrying them out. He would take up the three questions he had selected, and he would take them up in the order in which they stood in the Resolutions. There was not a man in this House who did not know that if the Irish nation were left to itself under any Constitution, the most Conservative that could be devised, neither the present educational institutions, the present Church Establishment, nor the present land tenure could continue unaltered. But this was equivalent to saying that they were all forced upon the people. In every one of them they felt the yoke of another country. All these questions were purely Irish ones. It did not affect the Presbyterian of Scotland or the Churchman of London whose Church was endowed in Cork. It would not affect the Protestantism of Liverpool if the Roman Catholic parent in Limerick was allowed to educate his child in a purely Roman Catholic college or a Roman Catholic school. It did not touch the Essex landlord if we established in Munster a system of land tenure suited to a wholly different state of things from that which prevailed in England. Yet upon these three great questions of domestic interest to Irishmen we were forcing the Irish people to conform to English opinion. In the matter of education, there was no doubt that the great majority of the people desired educational institutions upon a religious foundation, and that such institutions were the only ones suited to their feelings and their opinions. To a wise Statesman this was decisive of the whole question. If Ireland desired a Catholic university, let a Catholic university be chartered and endowed. He might himself prefer the system of the Queen's Colleges; but this was a question upon which he had no right to force his own opinion upon the Irish people. He might think their decision a wrong and unfortunate one, but he must bow to it; and he must bow to it because, among other reasons, he was quite sure that he should do more harm to the cause of Protestantism by coercing the feelings of the Irish people than he ever could do good by any system of education he could force on them. Upon the first question there would be no difficulty in applying the rule which these Resolutions supplied. When the people wished for united education, let them have it; when they wished for Roman Catholic schools, let them have them; when they wished for Protestant schools, let them have them; but let it be felt that England was not for her own purposes forcing on Ireland any system of education that was distasteful to the feelings and opposed to the convictions of the Irish people. Upon the second question: it surely did not require argument to prove that the present Church Establishment of Ireland was not in accordance with the wants or the wishes of the Irish people. The broad fact was that the revenues intended for the spiritual instruction of the whole people were monopolized by a small minority, and that minority the wealthiest portion of the community. He admitted at once that there were difficulties in dealing with this question; but we must not shrink from applying to it the very same principle. Whatever were our own feelings, the Irish Church question must be decided with reference to Irish interests and Irish feelings. He was far from saying that the feelings of Irish

Protestants must not be taken into account. They constituted a great and important part of the Irish nation; but, in the present arrangement, the feelings and interests of those who constituted the great majority of the nation were wholly disregarded. For the purposes of these Resolutions, it was enough for him to say that it was impossible that such an arrangement of ecclesiastical revenue could be maintained. He believed the time was come when this House should pledge itself to this; and these Resolutions upon this subject pledged no person to anything more, except that in dealing with the question we would be guided solely by the wants, the wishes, and the interest of Ireland itself. Upon the first two subjects he would only trouble the House by shortly summing up the facts. The report of the Census Commissioners told us that in 1861 there were in Ireland—Protestants of the Established Church, 693,000; Presbyterians, 523,000; Roman Catholics, 4,500,000. The whole ecclesiastical revenues of Ireland are diverted to the Church of the 693,000, and that Church is placed in a position of ascendancy. The Dublin University, the old and national University, ranking with Oxford and Cambridge in this country, is entirely under the control of the Church of the 693,000. We have established Colleges of another class, and the system of education established in them is, rightly or wrongly, condemned by the clergy of the 4,500,000. The Model Schools we have established are condemned in the same way, and even the funds voted by this House for the purposes of the education of the poorer classes are administered under rules which are causing dissatisfaction and discontent. These facts were all patent. He thought that they proved so much of the Resolutions as declared that the educational and ecclesiastical arrangements of Ireland were not in accordance with the wishes and feelings of the Irish people; he must say, that the Irish people would have very extraordinary feelings and wishes if they were. He now came to the third question—by far the most important—that of land tenure. Upon this subject he asked the House to affirm—

> "That the system of land tenure, which has grown up under the existing land laws, is not suited to the wants and circumstances of the people, and that it has failed in giving to the general mass of the agricultural occupiers security of their tenure, and the assurance that they would enjoy the fruits of their industry or the means of living in comfort and independence in their native land."

Was this a true description of the practical effects of the present system of land tenure in Ireland? Did this correctly represent the present position of the Irish occupier of the soil? Had he security for his tenure? Had he an assurance that he would enjoy the fruits of his industry? Had he the means of living in comfort and independence in his native land? He believed that among Irish Gentlemen in the House, however they might differ as to the causes or the remedies, there would be no difference as to the matter of fact. As a matter of fact, the occupier had not that security of tenure which was essential to his independence and his industry. This was a subject upon which it would be easy to heap up telling and exciting topics. He might tell of evictions which had left tracts of land without inhabitants. He might point to the emigration, which is the proof of the pressure that is driving the people from their homes. He wished to avoid all debateable, and, above all, all angry topics, and would pass these things by, and content himself with bringing forward a few irrefragable proofs of the truth of the statements contained in what he ventured to call the very moderate language of the Resolution. He could not, however, pass from the subject of emigration without saying a very few words. He thought they had evidence that ought to satisfy them that the emigration from Ireland had been to a great extent caused by the want of security of tenure. Dr. Keane, the Roman Catholic Bishop of Cloyne, was examined before a Committee of the House in the Session of 1866. He gave very remarkable evidence, with one or two passages of which he (Lord Arthur Clinton) would trouble the House. He said, in answer to a question as to the causes of emigration—

> "A man who has only ten or twelve acres, and who is only a tenant-at-will, finding that the land requires improvement, is afraid to execute it, and he goes away. I see many of these poor people in Queenstown every day. Many persons give up their farms because they are in such a position with regard to the law that they cannot establish a claim to compensation, which they would willingly establish if they were certain that the fruits of their industry would be their own."

He is asked—

> "Is it within your knowledge that many persons do give up their farms on that ground?"

The answer is—

"Several. I have made inquiries over and over again, in Queenstown and elsewhere, and I never yet heard that a single farmer emigrated and left the country who had a lease. Those who go attribute their being compelled to go to the want of good legislation. Their disappointment is made more bitter in consequence of all that has been done, or rather in consequence of all that has been discussed within the last twenty years or more."

With these remarkable extracts he left this part of the subject, and asked the House whether the land tenure of Ireland was in a satisfactory condition? After all that had been said and written on the subject, its general features might be shortly stated. As a general rule, the occupiers of the soil in Ireland were tenants-at-will, entirely dependent upon the pleasure of their landlords. The proprietors had of late years refused to give leases, with the express object of keeping the people in a state of dependence upon them, and as there was unhappily no sympathy or confidence between the classes, the result was that the great mass of the people were living in a state of insecurity, entirely inconsistent with either the peace or prosperity of the country. Whatever might be thought of it, this was the actual state of facts. He believed no one would question the statement that the practice of refusing to grant leases had become almost universal. That this refusal proceeded from social, religious, and political antipathy he could show upon the evidence of a distinguished Nobleman, whose loss to science was deplored wherever intellectual attainments are valued. The late Earl of Rosse published some time ago a tract on the Irish land question. He admitted that the Irish landlords had the strongest objection to give leases. He accounted for it by their apprehensions of tenant-right and of political agitators, and he thus wrote these remarkable words—

"It cannot, however, be said that such apprehensions are unreasonable; and so long as they exist, many will be reluctant to make leases. They think if they have to contend for their rights, it will be better to do so with their hands untied. This apprehension, with some, goes even further, extending not merely to the leasing, but even to the letting of land. Some people ask the question—'Is it not much safer to farm the land ourselves?' And, in point of fact, a great many small proprietors, just as in England, have long farmed their own estates, and with, I understand, a favourable pecuniary result. It is very desirable that the farmers should calmly consider all this, and ask themselves whether it is just to blame the landed proprietors, who, under these circumstances, hesitate to let on lease; and whether, if they were in their place, they would not perhaps do the same."

Here they had a declaration, upon the highest authority, that leases were refused because the landed proprietors looked to a coming battle, and wished to keep their hands untied. What did this mean? Worse than this, they were told that many landed proprietors were thinking of getting rid of a tenantry altogether, and cultivating their land themselves. Surely, when the rights of property were used in this way, and from such motives, the House ought to interfere to protect the people. Now, what was the effect of this upon the condition of the occupiers? He would quote the testimony of another Irish Nobleman of high character. In a pamphlet, published at the same time as that of the Earl of Rosse, Viscount Lifford says—

"Want of employment places those who do not emigrate entirely in the power of the landlord and landowners, to make what terms the latter please as the conditions of a bare subsistence; and the occasional misuse of that power, and the knowledge of the tenant that it exists (coupled with false notions of Irish social history, and continual tamperings in Parliament with the rights of property) perpetuate civil war."

He rested his case not upon the assertions of any tenant-right agitators, as they were called. He had given the opinion of two Irish landlords of high position, both Peers, of strong Conservative opinions. Was it possible for the agricultural population to be contented, where they live under such relations with the owners of the soil? He would ask the House to observe the language used by Lord Kimberley, the late Lord-Lieutenant of Ireland. Immediately on his return from Ireland that noble Lord thus spoke of the great question of the Irish land—

"It was impossible for England to perform its duties to Ireland so long as no attempt was made to deal with the important question of the tenure of land. He implored the Irish landed proprietors not to pass it by. The landed proprietors were supported by the force of the United Kingdom in maintaining themselves in a position which, he was convinced, if Ireland stood alone, they could not possibly maintain, and this country was strictly responsible for seeing that its military force was not applied in perpetuity to save the landowners from measures which they have neglected to provide, and which might otherwise be forced on them."

I believe that the state of things in Ireland is not exaggerated in the following sentences, which I take from a work which has excited a great deal of attention, written by a Gentleman who was for many years a Member of this House:—

"The position of the occupiers of the soil of

> Ireland is at present generally that of serfs, without any security either for their tenure or the fruits of their industry. They are dependent for their very means of existence on the will of their landlord, while the amount of that which is called rent is regulated, not by any economic law, but by the disposition of the landlord to extort, and their own ability to pay."

It would be easy to multiply proofs and testimonies and opinions from writers of every shade of political opinion. He was only anxious to cite sufficient to place clearly before the House the present state of things with which they had to deal. He asked the House, was there any hope of contentment in Ireland while 5,000,000 occupiers were kept in this relation to 10,000 landowners? Was there any hope of this state of things being changed unless Parliament intervened to make some alteration in the land laws which had permitted, if they had not produced, this disastrous result? The pamphlet of Lord Rosse, to which he had referred, contained the most striking proof of the effect of insecurity of tenure upon the tenant. He stated that the Irish tenant-farmers had in the banks £17,000,000. They were letting this sum lie there unproductive, while their lands were barely tilled. Now, if it were true that the great mass of the tenants of Ireland were designedly kept by the landlords as tenants-at-will—in order that they may have them in their power—is not this sufficient to account for a great deal of the discontent of Ireland? He had shown the effect upon the cultivation of the land. But what was the effect upon the tenant-farmer himself? Could he feel independent? Could he feel free? In the language of Lord Lifford, he is dependent on his landlord's pleasure for a bare subsistence. In the language of Lord Rosse, he knows that his landlord is keeping his hands untied, that he may strike him whenever the battle begins. This was the relation of landlord and tenant at present existing, and while it lasted the great mass of the people must be discontented and disaffected to the laws and Government which keep them in such a state. If he were asked how far we ought to go in interference, he said to the extent which was necessary to give security of tenure and compensation for improvements to the occupiers of the soil. If it could not be obtained for him by custom, by good feeling, or by opinion, they should give it to him by law. Here, again, they must not be guided by English precedent or by English prejudice. The law that left the great mass of the population in the condition described was not suited to the circumstances of the country; and he thought this House ought to say, boldly and clearly, that they were ready to support the Ministers of the Crown in any measure which will put an end to this disgraceful and ruinous state of things. No measure, it was plain, could effect this unless it gave to every occupier some security of tenure sufficient to encourage his industry by securing him its fruits, sufficient to give him, if industrious, the means of living in comfort and independence in his native land. There was a strong opinion growing up in Ireland in favour of such a regulation of the relation of landlord and tenant as would prevent the occupiers being held as tenants-at-will. It was not possible to look calmly and dispassionately at the actual state of things in Ireland, and not feel that such regulation was absolutely necessary. He would not carry that interference one particle beyond the proved necessity. But if it were admitted that contracts for uncertain and precarious interests in land were ruinous in their effects upon the national welfare—if they found that those contracts were general, and that the landowners adopted such contracts for the sake of keeping the occupiers entirely dependent—then a case had arisen in which the House ought to interpose, and prohibit by law those mischievous and unjust contracts, and compel all contracts for the letting of land to be for a tenure that would give the tenant a security for his holding sufficient to enable him to be independent and to improve. Thus far they could, he thought, see their way in the Irish land question. They must put an end to uncertain and capricious tenures, and must insist that all lettings of land must be made for certain interests. He did not undertake to say how this might best be carried out. That was a matter to be settled after inquiries which no private Member had the means of making. It was enough to say that the insecure tenures of the occupiers in Ireland were inconsistent with the well-being of the Empire, and therefore must be put an end to. He saw no objection to the suggestion which had been made by *The Times* to issue a Commission to hold local inquiries in different districts, and to ascertain by inquiries what was necessary to give security to the tenants. But the object of that Commission should be defined. It should be declared beforehand that they had made up their minds that they should have security, and that the Commission was sent not to palter with the question, not to make make vague and general inquiries; but with the distinct and specific object of ascertaining how security may best be given to the occupier. If Parliament once made the declaration that they were resolutely determined that it should be done, such a Commission would very soon effect an adjustment of the question which would give satisfaction to all reasonable landlords and all reasonable tenants. He felt how imperfectly he had been able to deal with the great questions upon which he had little more than touched; but he would be satisfied if he originated a discussion in which the views of those more competent to deal with them might be expressed. He had no object in bringing those Resolutions forward, except a desire to promote the interests of Ireland and England. The question was an English even more than an Irish one. It was impossible for a country, geographically situated as Ireland was, so inseparably intertwined with us, united with us under one Parliament, portion of our very existence, to be in the condition of Ireland without inflicting weakness upon ourselves. He ought, perhaps, before he sat down, to apologize for having taken on himself this task. He had glanced at the early recollections which had no little share in inducing him to do it; but the experiences of after life have given strength to these recollections. He had stood upon the deck beside Irishmen under England's flag, where Irish blood had been shed in England's cause, and had wished then, as he wished now, to see the day arrive when there should be no distinction made between their interests and ours, and when the whole of a race so brave and manly and generous should have no cause of quarrel with us, but should all be our allies and our friends. In the earnest hope and in the belief that this discussion might do something to accomplish it, he begged to move the Resolutions of which he had given notice.

Amendment proposed,

To leave out from the words "view of" to the end of the Question, in order to add the words, "Affirming that, in the opinion of this House the continued existence of the disaffection and discontent which prevails in Ireland is not only an injury to Ireland but a source of embarrassment and uneasiness to the United Kingdom, and that it is essential to the interests of the whole Kingdom that the causes of such disaffection and discontent should be removed; that, in the opinion of this House, this result cannot be attained unless the Government of Ireland is carried on and the Laws and Institutions of the Country are framed in accordance with the wants and wishes of the Irish People themselves; that the Educational and Ecclesiastical arrangements at present maintained in Ireland are not in accordance with the feelings and wishes of the People; that the system of Land Tenure, which has grown up under the existing Land Laws, is not suited to the wants and circumstances of the country, and that it has failed in giving to the general mass of the Agricultural Occupiers security of their Tenure, and assurance that they will enjoy the fruits of their industry or the means of living in comfort and independence in their native land; that while the grievances arising from this state of things continue the causes of Irish discontent and disaffection must remain; and that, while this House is sensible that the effectual redress of these grievances may involve extensive changes in the Laws, the Institutions, and the social system of Ireland, this House is of opinion that it is essential to the contentment of Ireland and the honour and welfare of the whole United Kingdom that these changes should be made."

—instead thereof.

MR. O'BEIRNE rose to second the Amendment, when—

MR. SPEAKER said, that there being a Motion and an Amendment already before the House, it was not competent for the noble Lord to submit his Amendment.

MR. O'BEIRNE said, he had been asked by the noble Lord who had so ably moved the Resolutions, to second them, a task he should most willingly have performed had the Resolutions not been pronounced out of order. He should ask the leave of the House to allow him to state why he should have wished to do so.

MR. SPEAKER: It is not that the Resolution is out of order, but as there are a Motion and an Amendment already before the House, it is impossible to put a second Amendment until the first is disposed of.

MR. O'BEIRNE: Then, Sir, in that case I hope the House will permit me to state the reason why, in reference to the subject under discussion, which is, the condition of Ireland, I think the Resolutions of the noble Lord might have been usefully considered. And in saying this I do not wish it to be thought that I have placed myself in antagonism to the hon. Member for Cork, than whom no Irish representative has done more to serve his country. What I had proposed to do was to endeavour to give a practical turn to the debate, and to place upon the records of the House a clear, comprehensive and true statement as to the present condition of Ireland, and as to the character of the remedies which ought to be applied to the evils under which that country now labours. Those Resolutions would have expressed on the part of the House a very clear opinion of the course which the Government ought to pursue in dealing with Ireland; and I regret that they are not before the House in order that they might elicit the opinions of hon. Members on both sides as to the statements they contain. It has been said that the grievances of Ireland are sentimental; but whether that be so or not, she is, without doubt, a country eminently national. And as the hon. Member for Cork has said, and said well and truly, she is thoroughly and familiarly acquainted with the sad records of her history, and I can scarcely add anything to his eloquent description of the deep seated feeling produced by the thorough and intimate knowledge which exists throughout that country of those dark, and I must also say, discreditable records. It is not my intention to quote the voluminous authorities, many of which I hold in my hand—authorities that would, perhaps, surprise hon. Gentlemen on the opposite side of the House as well as on this, and which furnish ample proof of the cruelty, the injustice, and the coercion that has characterized English rule in Ireland for very many years. It is fashionable, not only in this House but elsewhere, to say that we ought not to rake up these records of the past. May I be permitted to ask English Members do they never refer to the records of their past? The glorious moment when the independence of Ireland was acceded marked an epoch in Irish history. It followed from a series of prolonged struggles which were attended with extraordinary success. Is it not, then, natural, or rather is it unnatural that Irishmen of the present day should refer with feelings of pride to that happy period? Why, Sir, do not the Members of this House, do not the people of England as a people, refer with pride to the glorious achievements of Lord Nelson? Do not the citizens of the United States of America proudly look back upon the period when they were enabled to win their independence? And, Sir, taking an illustration nearer home, do not the French people refer repeatedly and with pride to the era of their revolution? May I ask this House why it is that the Irish people are taunted with raking up the records of the past — of, in fact, the only moment to which they can look back with anything like national pride — that during which the country was permitted to govern herself? That moment, Sir, as has already been stated in the course of this debate, was one of unexampled prosperity. It was described by men who are known to have been calm thinkers, to have been gifted with sound judgment, and who thoroughly understood the subject on which they spoke and wrote, as a period of unequalled prosperity—a prosperity which was, and still is, without a parallel in the history of civilization. But what followed? Far be it from me to drag before this House the disgraceful records of what did follow. Suffice it to say that the English nation took into union her weaker sister, and I wish to Heaven I could say that, in taking her into union, they had any intention to discharge their duty towards her. I say here, as a Member of this House—and I am prepared to prove it on English testimony—that in every possible way for twenty-five or thirty years, or perhaps longer, subsequent to the year 1800, the principles, conditions, and spirit of that Union were utterly disregarded, violated, and transgressed. Now, Sir, having made this broad statement, I challenge any hon. Gentleman on this or on the opposite side of the House who may contradict me to prove such contradiction. These facts are fresh and familiar in the mind of the Irish nation, and why, I ask, should it not be so? It is your fault, for you should have given them a different record—you should have dealt with the country in a different spirit. If, instead of destroying the trade of Ireland, ruining her prospects, applying perpetual coercion to her people, violating your most sacred and deliberate engagements, you had dealt differently towards them, I, for one, believe that the legislative union between the two Kingdoms would have been a great and lasting blessing to both. But, Sir, it has not been so, and what more eloquent proof can there be that it is not so, than is furnished by the very subject of the debate in which we are now engaged? I ask, could such a debate as this arise in the British House of Commons if the Act of Union had, in its integrity, been observed, aye, or even one tithe of its principles? It is perfectly plain that this debate is in itself a proof—proof most unanswerable—that the Act of Union has been disregarded from first to last. But, Sir, it is perfectly idle to talk of proofs; nor will I weary the House with numerous quotations which hon. Gentlemen may find in the books if they look for them; but I hope I may be permitted to quote an authority that will be received, I doubt not, with general respect. I desire permission to read from the speech of a right hon. Gentleman who long occupied a distinguished position in this House, and who presided over the debates now just twenty-four years since, when this subject was discussed in terms almost identical with those used by my hon. Friend the Member for Cork. I allude to Sir Robert Peel, who, speaking in 1829, thus expressed himself—

> "I apprehend it is scarcely possible that we could change the country for the worse. What is the melancholy fact? We have scarcely one single year during the period which has elapsed since the Union in which Ireland has been governed by the ordinary course of law. In 1800 we find the Habeas Corpus Act suspended, and the Act for the Suppression of Rebellion in force. In 1801 this state of things was continued. In 1803 the insurrection in which Emmett suffered broke out. Both Acts of Parliament were renewed. They continued in 1804, and in 1806 the West and the South of Ireland were in a state of insubordination, which was with difficulty suppressed. In 1807 the Insurrection Act was passed, which gave to the then Lord Lieutenant power to place, by proclamation, any district outside the venue of ordinary law. It suspended trial by jury, and made it a transportable offence to be out of doors from sunset to sunrise. This Act, will it be believed, remained in force in 1808, 1809, and to the close of 1810. In 1814 this very Act was renewed, and it was continued in 1815, 1816, and 1817. In 1822 it was again renewed, and it was continued in 1823, in 1824, and in 1825. In the latter year the Act for the Suppression of Dangerous Associations was passed, and it continued until 1828, when it expired."

Sir, that is language which I think ought to weigh upon the minds of hon. Members. It is not my language; as I have already said, it is the language — the temperate language of one of the ablest men who ever sat in this House. We are now in 1868, and I should like to know what great change for the better has taken place from the period when Sir Robert Peel uttered these remarkable words in 1829, to the present time? We have heard vague suggestions, no doubt, of a great improvement having taken place in Ireland. We have also heard of an immense agricultural advance. Civilization and trade are stated to have taken already a very large and prominent place in the country. Sir, I do not find it to be so. On the contrary, I find that emigration has increased; that the population has diminished; that the deposits in the savings banks have decreased; that the number of ejectments have enormously increased; and that, in point of fact, there is only one bright spot, and that is, that all crimes, except political crimes, have almost disappeared from the country. But, Sir, I doubt very much whether this negative evidence is any proof of the advancement of the material prosperity of Ireland. I confess that my own impression is against it. I believe that the people are reduced to a very low state; and I have this conviction:—that, so far from Ireland having progressed within the last twenty years, she has decidedly deteriorated. In that respect, I agree entirely with my hon. Friend the Member for Cork. I believe that the statistics which will be quoted possibly to prove her advance will be quoted upon a false principle. They will be taken from dates which are fallacious; but if the true state of the country were laid before this House, or if hon. Members would themselves inquire with unprejudiced minds into the realities of the case, they would find that the view I submit is unfortunately too true. No doubt, at the beginning of last Session we had from the noble Lord, who represents the Irish Government in this House, an assurance, which was but the echo of the passage in Her Majesty's most gracious Speech with reference to Ireland, that a great change for the better had taken place in that country, and that there existed a very general feeling of contentment and satisfaction. The Royal Speech held out promises of legislative relief which were mysteriously supposed to be on the eve of being fulfilled. But, Sir, the House will remember that, before many days had elapsed, the noble Lord came down here and, instead of confirming the statement which he had previously made, gave to us a very disheartening and melancholy description of the state of the country. But even then the noble Lord held out to us some encouragement. What did he tell us? He informed us that—

> "One of the first and most satisfactory things shown by the history of the Fenian movement was that the occurrences which had taken place prove that the measures which had been adopted by the Government were sufficient for the suppression of all disturbances;"

And the noble Lord added—

> "That the Government were in possession of the most ample information, and that they were always warned in sufficient time to enable them to take the fullest precautions for the preservation of the peace."

I pray the attention of the House to that statement of the noble Lord. Another statement made by the noble Lord on that occasion is to the effect that the loyal spirit of the population had so displayed itself as to prove that there had been no kind of sympathy whatever shown with the Fenian movement by the great mass of the agricultural population of the kingdom, and especially of Kerry. I should remind the House that that speech was made in justification of the renewal of the suspension of the Habeas Corpus Act. I do not desire to take upon myself the right to contradict the noble Lord; but I will read from an authority almost contemporaneous. A few days after the statement to which I have referred was made by the noble Lord the Chief Secretary, a noble Lord in "another place," who, it will be admitted, has had some experience on the subject—I mean Lord Kimberley—remarked—

> "As regards the farming classes, I have seen it asserted that they did not sympathize with this sedition. I regret I cannot repeat that statement to its fullest extent. In the South and West of Ireland, although the occupiers or farmers did not take a prominent part in the conspiracy, as a matter of fact, it was perfectly well known that they were ready to join in that rebellion, had the rebellion really broken out."

And, Sir, upon this point, I will merely make one other observation. If there were, in reality, as is stated so earnestly, no sympathy shown by the people with this movement, what, I ask, became of the large numbers of armed men who appeared from time to time throughout the country, at night, and in the early morning? Where did they go to? One would suppose it was not so very easy to hide 300, 400, or 500 armed men. If within a few hours after they had made their appearance, the county of Kerry had been swept by cavalry without finding any of these men, it was childish to ask the House to believe that the agricultural classes had no sympathy with this movement. If there existed no such sympathy, the men who appeared in arms would have found neither home nor shelter; they would have been left to the mercy of the troops, and very short work would possibly have been made of them. It is, Sir, very unfortunate, both for this country and for Ireland, that the true state of circumstances had been so withheld by the noble Lord, when he had spoken upon so important a question from time to time. Let me ask this House whether the events which have taken place since the remarks I have just referred to in any degree bear out the noble Lord's statement? Had the Government the information which was requisite to enable them to put down this movement, and if they were in possession of that information have they put down the movement? Why, Sir, is it not plain that Fenianism, the existence of which in England was before little thought of, has broken out through the country, under the fostering care of the noble Lord, to an alarming extent? It has become under his government a familiar word in English homes where before it was almost unknown. Occurrences have taken place which have shaken and terrified this great Empire to its centre, which have led to thousands of special constables being called out, and which has produced upon the public mind a most profound sensation. Fenianism has become the question of the day: it has been discussed by Members of this House in their extra-Parliamentary utterances; it has attracted the notice of our periodical literature and of the press; it has attracted the attention of our Cabinet Ministers when addressing public assemblies. But still more and worse than this: it has been the subject of grave and serious consideration by neighbouring nations. It has been taken into consideration by those nations when the power, the authority, and the influence of England have been weighed in the scale; and, as I know from my personal experience within the last three months, it has very seriously prejudiced the position which this country ought to hold as one of the great Powers of Europe. This, Sir, I deeply regret; but it is, I say, absurd to tell us that the Government have already the means in their hands and are in possession of sufficient information to enable them to put down such a movement. I have no doubt the noble Lord spoke the earnest conviction of his mind when he made that statement, and I am not disposed to say or suggest that the noble Lord has been guilty of misrepresentation; but I am here to say that the system of legislation which has been pursued with reference to this organization is neither useful for the purpose to which it has been directed, nor creditable to the Imperial Parliament by whom it has been approved. Sir, we have been more than once told by hon. Members in this House, and especially by one hon. and learned Member, who I regret to see is not now in his place—I mean the hon. and learned Member for Sheffield (Mr. Roebuck)—that Ireland has no cause whatever for complaint; that the Irish Members, when they stand forward in this House to offer their remonstrances, however respectful, however sincere, and however earnest, are told that those appeals are made simply with a view of getting up "a whine upon Irish discontent." We are told by the hon. and learned Gentleman that there is as little personal restraint in Ireland as there is in England, and that, in fact, she enjoys all the advantages, all the privileges, and all the laws which are enjoyed by England. Moreover, I remember him to have used this remarkable sentence, which I shall not easily forget—"that Ireland was great because of her connection with England." I regret extremely that an hon. Gentleman of the acute mind of the hon. and learned Member for Sheffield, who has devoted so many years of his life to the study of the politics of his own country and of other countries, should by such a statement have placed himself in what I consider an extremely awkward dilemma. In the first place, with reference to the equality of laws, it is a fallacy to say that Ireland is in that respect on an equality with England. We have no equality of laws; the laws of England do not apply to Ireland. The principal Act which has been passed since the Union for the improvement of our country, always excepting the Act for the Emancipation of Roman Catholics, was the poor law. The poor law in Ireland is essentially different in many points from the English poor law. Again, the law of distress does not exist in this country as it does in Ireland; in fact, it is unknown here. But I think I have a still more pregnant example — the law respecting public processions. What will the House say when they reflect upon the terms of that law? Will they affirm the statement of the hon. and learned Gentleman that in this respect there is any equality between the two countries? Let me shortly state the facts of the example I propose to submit. We all remember that in the summer of 1866, a lamentable riot took place in Hyde Park, there was bloodshed and violence, and that that meeting took place in defiance of a solemn proclamation warning the people not to assemble, a warning which was disregarded. Well, last November or December a meeting was held in Dublin, it was called a funeral procession. The First Minister of the Crown declared in "another place" that similar processions which had previously taken place, were perfectly legal. Before the time fixed for the assemblage, the noble Lord opposite was made aware of what was in contemplation, but he did not give any notice whatever to the people that that procession would be illegal. The people met, the procession was formed and proceeded peaceably to its destination; there was no riot, no disturbance, no bloodshed. What happened? Mark the difference in the two countries. There was no prosecution in the London case; but there was a prompt and vigorous prosecution in the Irish case. Now I invite the noble Lord the Chief Secretary when he rises to speak in this debate, to account for this singular proceeding. How could he, as a Member of the Cabinet, as the representative of the Crown in Ireland, sanction the prosecution of men who believed they were innocently attending a public meeting, and who received no intimation that that meeting was illegal? I say, Sir, the people who attended that meeting were fully justified in believing that that meeting was not only not illegal, but that it was thoroughly within the laws of the country; this belief being founded upon no less an authority than the Prime Minister of England. Such, Sir, is the equality of laws described by the hon. Member for Sheffield. Such is his estimate of a just legislation. Sir, when the hon. and learned Gentleman presumes to taunt Irish Members with setting up a whine about the wrongs of their country, I tell him that before he utters such taunts, before he permits himself to deliver such sentiments, he should satisfy himself as to the justice of the one and the truth of the other. If he gives the weight of his name—respected as he is as an able and distinguished Member of this House—to such statements, I say that he puts himself in this discreditable dilemma—either he knows the facts to be the reverse of what he represents them, and is guilty of misrepresentation, or he has failed to inform himself before he expresses his opinions, and as a Member of this House he is guilty of inexcusable negligence, not to say injustice. It is not surprising that Irish Members should speak and feel somewhat warmly on this subject, as such assertions are ungenerous, unfair, and un-English; and I have again, Sir, to express my regret that the hon. and learned Gentleman is not now in his place, that he might hear a plain and, I hope, an intelligible expression of my sentiments upon his conduct. We are told by the same authority that Ireland is prosperous and great because of her connection with England. She may be great because of that connection, if her greatness consists in being subjected for years to injustice, to coercion, to confiscation, and to every possible system of repression, to absolute discouragement, and to the most contemptuous usage—in fact, to an unceasing effort on the part of England to force her to forget her nationality; nay more, to impress upon her the revolting belief that she is inferior in every respect to England. But, Sir, I say give the country a fair chance; accord to her only a just, a generous, and an honest treatment; let her try to regain the noble, sunny road upon which she was travelling when you seized upon and wrenched her but new-born independence from her. If you will not or cannot legislate for her, give her the power to legislate for herself; deal with her as you deal with other interests that are entrusted to your keeping; treat her as you treat your colonies; be only as just to her who lies within twelve hours of your shores as you are to those who are separated from you by as many days; then there may be some hope that this country will see an end to that which has been well called a European scandal. Sir, if to be great is to be coerced and governed by a number of highly respectable Gentlemen who sit on that bench, many of whom have never set foot on Irish soil, and who know as little of her people and their habits as they do of Abyssinia, then, indeed, I admit we are great. But when our greatness becomes real, I venture to say that this House will soon feel it, the Empire will understand and value it, for then, and then only, can there be a real Union between the two peoples — a Union which has never yet existed since their intercourse commenced. I long — most earnestly long—for that day, I wish to Heaven it were near, or that I could think it were near; but I see no prospect of its approach. I have no faith whatever in the result of this debate. That I may be deceived is my most fervent wish. I have no hope that the noble Lord will stand up and declare that his Cabinet have come to the determination to act at once in a broad, comprehensive, and conciliatory spirit towards Ireland, and to deal manfully, boldly, and without prejudice with the Irish question. It may, however, be so, and I hope it will. If such should be the case, the noble Lord may rely upon it that he will have the support of Irish Members on this side of the House; and that he will also have the support of Irishmen in their homes, and that whether he be called by the political name of Tory or Conservative, Whig or Radical, that name will fade like a shadow, and he will be regarded as the benefactor of a country which has suffered so much under English rule. But when is that to happen? When are we to have that regeneration? I appeal to this House, and I ask it to insist on a fair and generous policy towards Ireland. I tell hon. Members that the time has come when its policy must be fair. From this House, Sir, I appeal to that which is a much greater power—the just influence of the English people, and I tell that English people from my place here that they are answerable for the present state of things in Ireland. They are answerable because as conquerors they took the country into their hands—because they confiscated the lands—because they took the nation into a Union, every principle of which they have violated. They are answerable because their policy—and I say it deliberately—has rendered loyalty on the part of the Irish people almost superhuman. Their discontent is produced by years of coercion. Is that the way to foster a people? Suppose that they were the most debased, that they were the most ignorant, that they were inferior to the English nation in every possible respect, what was your duty? The duty of the English Parliament was to educate, support, and encourage them up to the standard which, in their belief, had been attained in this country. Has this been done? How many Acts of repression and coercion have been passed during the last sixty years? Any hon. Gentleman may find them on the statute book, where they appear as a standing disgrace to the British legislature. Is it to be said that we, the Imperial Parliament of Great Britain, cannot deal with a portion of the Kingdom, which but a few years ago formed one-fourth of the whole, in any other way than by suspending their rights and their liberties? Why, is it not true that such a fact is a European scandal which must at once be put an end to. Will the people of this country submit to the continuance of such a state of things; or will they at once and determinedly stay this fatal course? If they do not, ruin or much worse will follow. Give us fair and just treatment; let us not be told we are constantly clamouring for remedial measures. Submit your policy and let us judge: if it be fair and just, or even moderately so, we are prepared to accept it; but do not go on from year to year in this careless, obstinate, pertinacious, and mischievous course. There is yet time. Accept the warning, the fearful warning, which recent events have so forcibly given you. Do not disregard it, do not turn away your eye from the "writing on the wall." If you do, rely upon it you will reach a state of things which it will be beyond your power to control. You expose the unsullied Crown of England to the hideous stains which the political gibbet but too surely scatters round it; you will shake the entire Empire to its centre, and possibly pull to pieces that which has cost centuries to build up. Remember that the power, the prosperity, the great position that England enjoys she owes entirely to the loyalty and the union of her people. Once permit that union to be endangered, and it may be more than your utmost power can accomplish to repair the extent of the mischief you have wrought. No longer hesitate, then, to act justly. The means are within your hands. If you use them, use them boldly, promptly, generously, while there is yet time. If you do so, the result will be a just and full recompense; if you pause, think of my words—you will be too late, and you will have hereafter deep cause to bitterly lament your vacillating, unjust, and most ruinous policy.

THE EARL OF MAYO: * Mr. Speaker—The hon. Gentleman who has just spoken, and the hon. Gentleman who introduced this most interesting and important debate, have given at great length, and with great clearness, their views as to the present state of Ireland. It now becomes my duty to state to the House, not, perhaps, in language so impassioned as that of the hon. Member for Cork (Mr. Maguire), but as accurately as possible, my views with regard to the state of Ireland. I will not exaggerate or conceal, but will endeavour to make a plain, unvarnished statement, which I hope will commend itself to the attention of the House. I also propose to notice some of the points which are put forward as grievances by those who are supposed to represent the portion of the Irish people dissatisfied with the present state of things. I do not deny —in fact, I do not know that anybody has attempted to deny—that a great amount of dissatisfaction—I might almost say of disloyalty and dislike to England and to English rule, exists. But I think it important for the House to ascertain, as far as possible, what the precise nature of this feeling is, what the classes are which it affects, and how far it influences the general state of the country. I think it will not be denied at the outset that the active organization of that great Brotherhood, which has exercised for the last three years so marked an influence upon the feelings of a portion of the Irish people in this country and in America, has its source in another country; and when I am told that British legislation, British rule, and British laws are responsible in a great measure for the existence of that hostile feeling among the Irish citizens of America towards this country, we must recollect that there are to be found in other parts of the world large numbers of my fellow-countrymen who are not disloyal. In Australia, though their numbers are not reckoned by millions, but by thousands and hundreds of thousands, the Irish who have settled there do not exhibit towards Great Britain any of those hostile feelings which unhappily are found in America. Nay, more: there are many remarkable instances of men who, when at home, were unhappily distinguished by proceedings hostile in their character to the Crown and Government of England; and who, having settled in Australia, and taken an active part in public affairs there, declared on returning to this country that they no longer held the same opinions with regard to British rule which they did when they emigrated. The same thing may be said with regard to Canada. Though Canada is in the immediate neighbourhood of the great seat of the Fenian organization in the United States, and though we find that Fenianism has a certain limited influence over Irishmen settled in Canada, yet, as a body, we see the Irish in Canada loyal to the British Crown. Mr. D'Arcy Magee, a man who never speaks without attracting attention, and who influences large masses of his countrymen in Canada, was an active Nationalist in 1848, but is at this moment one of the most eloquent advocates of British institutions that can be found on the face of the globe.

Having said so much as to the feeling of Irishmen settled in our colonies, and lamenting, as I do, the existence of a very different feeling among the large portion of the Irish citizens of the United States, it becomes important to consider how far such a feeling is shared by those of our fellow-subjects who still remain in their own country. As far as Ireland is concerned, at present the feeling of disaffection and disloyalty is, I believe, confined to a lower class than it ever was before. If you take the history of 1798, you will find that many of the persons who were then engaged in fomenting rebellion and civil war were men of high character, of good family and of great honesty, whose standing and intelligence gave them a right to influence the views and conduct of their fellow-countrymen. The men of that day embarked in a wild, reckless, and unjustifiable attempt; but no one can refuse to give many of them credit for higher motives, or contend that they were not men of intelligence and integrity. Then, if you come to 1848—fifty years later—another attempt being made to stir up rebellion in the country; then, again, there were men of position and intellect engaged as chiefs of that movement. Though the leaders of 1848 were inferior—vastly inferior—to those who headed the rebellion fifty years before, you must recollect that in 1848 such men as Meagher, Mitchell, Duffy, Davis, and O'Brien were implicated in it, and their character or genius shed a sickly lustre over the most Quixotic enterprize of modern days. But in this Fenian conspiracy—which in America, I admit, has assumed gigantic proportions—you find that the feelings of the bulk of the persons engaged in it are swayed by the speeches and writings of leaders of a very different character from that of the men to whom I have been referring. The Fenian organization has been in existence for four or five years, and yet I doubt if any one can point out an intellectual leader who has distinguished himself by the gift of eloquence, or by any other display of intellect. The movement has not produced a single man of mark. It has been directed by men without position and without experience of any kind, except that gained in the subordinate ranks in the American army. That is the case with the members of the Brotherhood in America. If you look to Ireland, you find the same thing. The whole of the Protestant and the Roman Catholic gentry, though they may differ in religion and in politics, are to a man thoroughly well affected towards British rule. The large landholders are on the same side, and so are the men who are deeply engaged in trade. Not a merchant of any importance or influence has ever expressed the slightest sympathy with the Fenian movement. With a very few exceptions, the same may be said of the educated classes generally. Very few, indeed, of them have employed their talents in advancing Fenianism. I know there are certain conductors of a portion of the Irish press who may be said to represent the feelings of the Fenians; but they are very inferior to the writers who supported former movements of a rebellious nature. When you descend in the social scale and come to the small occupiers of land, you find a considerable number of that class who may be said to sympathize to a certain degree with the movement, though they have taken no active part in it. Descending still lower, to the uneducated agricultural labourers, to what in Ireland are called the "farmers' boys," to the mechanics and workmen, the shop assistants and small clerks in towns, you find this organization widely spread. I am sorry to say that in some of the cities in the South of Ireland you find the mass of the people of that class deeply tainted with Fenianism, and perfectly ready to sympathize and co-operate with it to any extent. But they are without leaders, money, or arms. That being the case, I think the House will agree with me, looking broadly at the matter, that there does not exist any material in Ireland itself for maintaining in active operation this Fenian movement. The real strength of the organization lies at the other side of the Atlantic. And, though contemplating an impossibility, I believe that, could the communication between this kingdom and America be cut off for a short time, Fenianism would rapidly disappear and become extinct for ever.

Sir, I think it my duty now to submit to the House two or three statements on which the excuse for or vindication of this movement is commonly based, and to endeavour to show how fallacious and utterly groundless those statements are. I know that the statements to which I allude are not often put forward in this House. Even those hon. Members who entertain the strongest views on Irish questions do not state the case as it is stated very frequently out of doors—in Ireland, in America, and also on the Continent of Europe. But one of those statements has been strongly put forward to-night. It is that the people of Ireland as a nation are oppressed, are down-trodden, are governed, as in other countries, nations are governed by a foreign Power; in short, that the Irish people are ruled for English objects, and without regard to Irish feelings or interests. There is a second statement which has been put forward in this House, and I cannot but regard it as one of the most dangerous that could be made use of as calculated to induce the Irish people to favour the Fenian movement. It is stated that in years gone by—in those times which may be described as the dark days of Ireland—the ancient possessors of the soil were dispossessed by frequent confiscations, and that it is the duty of this House, and of the other Branch of the Legislature, to take steps to restore to the Irish people that land of which, at different times, they were unjustly deprived, I cannot conceive anything more calculated to lead to discontent in Ireland than that statement. There is another assertion, the most important of all— one which, to the fullest extent, has been adopted by the hon. Member for Cork and the hon. Member for Cashel—that, owing to the Government and the laws of this country, the industry of Ireland has been checked, and its material progress retarded.

Those three statements I propose to deal with one after the other. First, then, it is alleged that Ireland is governed by English power and by English rule, for English interests, and with English objects; that she is ruled as if she was under the sway of a foreign Power. Some writers have gone so far as to call her the Poland of the West. Well, if Ireland is so treated, if she is subjected to so much tyranny, I must say it is most unfortunate that in this case the tyrants are the Irish themselves. To examine the matter it is necessary to see how the Government of Ireland is at present constituted. Who are the persons that form the Executive Government? They are five in number: his Excellency the Lord Lieutenant, the Chief Secretary, the Lord Chancellor, the Attorney General, and the Under Secretary. Who is the Lord Lieutenant? A nobleman of ancient descent, intimately connected with Ireland, who possesses a large property there, and who, for many years, has been actively engaged in discharging with success the duties of his station as an Irish landowner. Sir, I should be very sorry to take up the time of the House by speaking of the Chief Secretary. That individual has never aspired to any other character than that of an Irish country gentleman, who has devoted the best years of his life to what he believes to be the service of his country in Parliament. He belongs to a house which for many centuries has shared the fortunes of the Irish people; and, if I may allude to so completely unimportant a circumstance, he has in his veins considerably less Anglo-Saxon blood than many of the gentlemen who are flourishing about New York in green uniforms. The Lord Chancellor of Ireland is a man who, for forty years, held a high position in his profession, and who, at the time of his appointment, was admitted on all hands to be the first advocate at the Irish bar. He is an Irishman, intimately acquainted with the féelings of his countrymen, and closely connected by family ties and property with his native land. The same may be said of my right hon. and learned Friend the Attorney General. His entire life has been spent in Ireland. Of the Under Secretary, Sir Thomas Larcom, I may say that for many years he has exercised a great and, I believe, a most beneficial influence in Ireland. I know of no man possessing a more thorough knowledge of Ireland and her history, of Irish affairs, and the feelings of the Irish people. Since 1824, when as a young officer of Engineers, he laid the base of the first triangle of the great Ordnance Survey, he has been actively employed in that country. Look at the Judicial Bench. The Equity Judges are all Irishmen, and the same may be said of the Common Law Judges—twelve in number—nine of whom profess the religion of the majority of the people. The local magistrates are Irish to a man, and they are assisted by seventy-two paid magistrates, who are also, with three or four exceptions, natives of Ireland. So much, therefore, for the Executive Government and the judicial staff. By whom are the laws of the country and the orders of the Government enforced? By a constabulary wholly Irish, taken from the lower ranks of the people. In this force, too, is to be found almost the same proportion as regards religious belief as exists among the people of the country, and they have always done their duty with a loyalty and fidelity which have scarcely ever been equalled and never surpassed. Add to this the fact that the country enjoys a Parliamentary representation which, until now, has been based upon a franchise much lower than the English franchise. Again, in every town in Ireland you find a municipality elected on a very wide franchise; and these municipalities administer, without the smallest Government control, their local affairs under the provisions of various Acts of Parliament. The primary education of the poor is intrusted almost entirely to teachers nominated by the patrons of the schools; four out of every six of these patrons are the Roman Catholic

Clergy, so that no one can say that there is an unnational element in the system of education prevailing in that kingdom. The Poor Law system is administered, to a great extent, by guardians, who are nominated through a very wide franchise by the ratepayer. I mention all these facts with a view of showing how fallacious, how absurd, and how baseless is the statement which is constantly put forward that Ireland is governed by English rule, in accordance with English system, and in a manner repugnant to the feelings of the Natives. Sir, I am almost ashamed to mention these things to the House, for there are very few hon. Members who are not perfectly well aware of all the facts of the case; but, as the statements to which I have referred are so constantly and broadly put forward by the people on the other side of the Atlantic, and as they are believed to a great extent, not only on the Continent, but also by a considerable portion of the people of this country, I have thought it right to give a summary of these facts.

But there is the second statement which is made the foundation of an immense amount of declamation and eloquence. It is that the land at one time belonged to the people of Ireland; that they were dispossessed of it; and that the recollection of that circumstance still rankles in the breasts of the occupiers of the soil, and of the classes who are immediately subservient to them. Now, there never was an assertion made more devoid of truth. It is very well known what became of the possessors of the land after the various confiscations. In the first invasion—that is, the Norman Conquest—there was no dispossession, partly because vast tracts of country were lying waste, and partly because that invasion was undertaken for the purpose of dominion and rule, and not for the acquisition of land. Confiscation, it is true, took place at subsequent periods; and if it would not occupy too much of the time of the House, I could trace the fate of almost every Irish family of importance who were dispossessed of their landed property. During the wars of the Roses in this country great dispossessions took place, many old houses went down, and the bearers of their ancient names remained for the most part in the country, the consequence being that their descendants are still to be found in a humbler rank of life than that which their ancestors occupied. But in our case the circumstances were totally different, for the proud and fiery Celt, unable to brook subjection in his own land, emigrated as soon as possible. They wandered away immediately after these various troubles, and placed their swords and their brains at the disposal of foreign powers. For years after each confiscation every European camp and Court was full of Irish emigrants. This is sufficient to show how absurd and baseless is the assertion that the Irish land at one time belonged to the Irish people, and that among the peasantry of Ireland are to be found the descendants and the rightful inheritors of the chieftains and nobles who were dispossessed by the various confiscations which so cruelly afflicted the country.

But the most important point for the House to consider is, whether there is any thing in the present state of Ireland which shows that there is a progressive falling off in wealth, in prosperity, and in improvement. Now it has been broadly put forward to-night that there is nothing to show that any real and sound progress is being made in Ireland. I think, however, that I can prove most conclusively to the House that very considerable progress has been made. And, Sir, I do not intend to go back to old times. I propose to go back merely to the beginning of what I may term the present generation—that is to say, about thirty-five years ago; and I have a right to do so, because since then the whole policy of this country towards Ireland has been altered. I shall endeavour to show the House how the new policy has been carried out, and what have been its effects. In the first place, I must beg the House to reflect for a moment what Ireland has gone through during the period to which I am referring. We have been subjected to three great political agitations, to a most terrible famine, and to an enormous emigration. If, then, I can show that, notwithstanding all these adverse circumstances, improvement has been steadily going on, it will be pretty evident that this House, and the institutions of the United Kingdom, cannot be very much to blame for the present state of Ireland.

First of all, I will take the state of our staple industries. In a country like Ireland, which is dependent so much upon agriculture, and where the seasons have a decided effect upon the national prosperity, there must necessarily be a great many "ups and downs," so that I will not take any small number of years to illustrate my argument, but will spread my facts over the period which has elapsed since 1830. In the first instance, I will take the number of arable acres, including in that term not merely land over which the plough goes, but all land which is usefully employed for the general purposes of agriculture. Well, in 1841 there were 13,461,301 cultivated acres in Ireland, while in 1861 the number had increased to 15,400,000. But it has been said that the effect of the changes which have taken place during the last few years in Ireland has been to convert almost all the land into pasture. No doubt many changes and vicissitudes have occurred, but still the main fact remains that in 1849, 5,543,748 acres of land were being cultivated under the plough, whereas in 1860 the number of acres so cultivated had increased to 5,970,139. Since then, owing to three or four bad seasons, there has been a decrease, and last year there were only 5,529,568 cultivated acres, being very little less than in 1849. But, if we turn to the value of stock, which is the real test of the wealth of a country like Ireland, which is so peculiarly adapted to the rearing and production of cattle, you will find a most remarkable improvement. I will take the years 1841 and 1866. I wish the House to understand that these numbers have been ascertained with the greatest possible care. I give them on the authority of Mr. Thom, the author of the valuable almanack that bears his name, and who himself verifies every statement made in his Work. In 1841 the value of the live stock was estimated at £21,000,000, and in 1866 at £50,500,000. I venture to say that in no agricultural country in Europe, considering the vicissitudes of that period, will you find so extraordinary an increase. Again, take the live stock per square mile; the same authority gives the value as £649 in 1841; £853 in 1851, and £1,028 in 1861 — figures which show a steady increase. One of the principal products of the South of Ireland is butter, which represents the wealth of the agricultural population, and particularly of the small holders of land. I have had accurate inquiries made respecting the butter trade of Cork, and have arrived at results which have been confirmed by reports from other markets. In 1831, Cork Market received 244,000 firkins; in 1841, 219,000 firkins; in 1851, 306,000 firkins; and in 1867, 470,000 firkins. Quantity represents only half the story, but the rise in price indicates a remarkable increase in wealth. In 1851 the highest price of butter at Cork was 90*s*; in 1861, it was 118*s*.; in 1867, it was 127*s*. So much for agriculture. I know that Gentlemen who make eloquent speeches do not like facts. They do not trouble the House with statistics, because they say that the decrease of prosperity is patent to all, and figures can be made to prove anything. I believe that the more you inquire into the facts by which the state of Ireland during the last thirty years can be tested, the more you will be convinced of the truth of the position I have taken. A remarkable illustration of the increase of wealth among the agricultural classes is the steady rise in the value of land in almost all the counties of Ireland during the last fifty or sixty years. Take the county of Cork. In 1779 Arthur Young estimated the rental of this county at £256,010. According to the public valuation, with 15 per cent, the rental was in 1848, £1,284,140; and in 1867, it was £1,351,208. Rental in 1779, £256,010; in 1810, £808,698; in 1848, £1,284,140; in 1867, £1,351,208. I have ascertained from the very best authorities that pretty nearly the same increase of rent has taken place in all the other counties of Ireland; that increase has not been sudden, but steady and gradual, and I believe it is due both to the increased quantity of land which has been brought under cultivation, and to the general improvement of the system of agriculture.

It has often been said that the prosperity of an agricultural country depends upon its roads. Since 1826, the most extraordinary improvement has taken place in the roads of Ireland. Anyone who has travelled in that country must know that Ireland is as well provided with roads as any other country. Sir Richard Griffith has written me a letter stating some general facts on this head. In 1822, with the exception of some coast roads, the county roads were almost impassable. The county surveyors were first appointed in 1836, and a gradual improvement was then made. When he entered the profession the west portion of the county of Cork, the whole of Kerry, and the west of Limerick, were almost entirely devoid of good roads. He describes how, not altogether from local resources, but by the aid of Parliamentary Votes, good lines of communication were made; and this increase of accommodation had the most immediate effect in stimulating intercourse and trade.

With regard to railways, Ireland has

participated in the general improvement which has taken place in our communications. In 1840, only thirteen miles of railway were constructed; at the end of 1866 there were 1,900 miles, which had cost £26,000,000. That the Irish people have begun to embark their capital in these undertakings is shown by a curious piece of information respecting the Great Southern and Western Railway. In 1847, of £1,743,000 of stock, £1,119,000 was held in Great Britain, and £600,000 in Ireland; but, in 1862, of £5,000,000 of stock, £1,100,000 was held in Great Britain, and £3,882,000 in Ireland. An enormous sum has been advanced to Ireland, year by year, by the Legislature for public works and improvements. Since 1834, the Exchequer has been charged for public works in Ireland with £18,000,000, of which £11,402,651 was to be re-paid, and £1,500,000 remain to be re-paid. The grants made in the famine are not included in this estimate, and the whole of this large sum has been spent in useful and reproductive works.

The general condition of the people is, however, the point on which most stress is laid. It is said that, though farmers, landowners, and traders may be improving their position, that of the poor is getting worse and worse. The following description of the Irish labouring classes was given by Bishop Doyle, in 1825:—

> "The evidence already given to Parliament shows that the average wages of a labouring man in Ireland—and the great mass of the poor are labourers—is worth scarcely 3*d.* a day. 3*d.* a day for such as obtain employment; whilst, in a family where one or two persons are employed, there may be four, perhaps six, others, dependent on these two for their support."

If the decline of the population is said to be a sign of decay, let us go back to the time when population was at its highest. In 1836, the Royal Commissioners for inquiring into the Condition of the Poor in Ireland reported—

> "That they could not estimate the number of persons in Ireland out of work and in distress during thirty weeks of the year at less than 585,000, nor the persons dependent at less than 1,800,000 —making 2,385,000."

Mr. Murland states, in an address delivered last November, that it is remarkable that this number is just about equal to the reduction which has taken place in the population; so that, if only about 5,500,000 of the population could find employment in 1836, there was no reason to expect that we should now, with the same population, find the land going out of cultivation for want of hands to till the ground. The condition of the labouring classes immediately before the famine is noticed by Sir Robert Kane in his *Industrial Resources of Ireland*, 1844. He says—

> "That human labour can be obtained in this country on lower terms than in any other in Europe, is too well known to require example. It is thus that 8*d.* or 10*d.* per day is found to be the usual rate of wages at a distance from large towns, and that, even on such terms, thousands of men remain unemployed during the greater portion of the year."

What is the rate of wages now? Judge Longfield, in his Address on Social Economy, gives the following account of the rate of wages, as ascertained from the evidence before the Land Occupation Commissioners in 1844, and the improvement up to 1861. Referring to the year 1844, he states that—

> "In Munster and Leinster, the rate of agricultural wages varied from 7*d.* to 10*d.* a day, and in Connaught, from 5*d.* to 8*d.*, and that, even at these low rates, constant employment could not be obtained. It also appears to have been the general custom for the labourer to rent his cabin and plot of ground from the farmer; and that these bargains sometimes insured the labourer a supply of food, and were a source of profit to him, but that more frequently they were a source of litigation and oppression; and that, on the whole, it might be said, that in no part of the civilized world was the condition of any industrial class so wretched as that of the Irish labourer. There is still much room for improvement; but I shall refer to the best authentic documents that I could procure to show what change has taken place, and is still going on, in the condition of the labourer. In the year 1856, the Emigration Commissioners applied to the Poor Law Commissioners for information on the state of the labouring population, as bearing upon the continuance of emigration from Ireland. The Poor Law Inspectors in the different counties gave Returns of the rate of wages in their respective districts. I refer to the Report of the Poor Law Commissioners for the year 1856."

As an illustration of the rise in wages, Judge Longfield then quotes Mr. Horsley's statement that in Cork, Kerry, and Limerick the average rate of wages for agricultural labourers was 7*s.* 6*d.* a week; and he quotes Mr. Horsley as stating that "continuous employment is now easily obtained by all skilled able-bodied agricultural labourers." Judge Longfield also adds that the rate of wages increased in twelve years (from 1844 to 1856) from 25 to 80 per cent—the greatest increase having taken place in those districts in which the greatest wretchedness had previously prevailed. From additional inquiries, he arrives at the conclusion that, from 1856 to the end of 1860, the wages of agricultural labour in most parts of Ireland had obtained a further advance of 10 per cent. I have ascertained, by special inquiry in a few districts, what has been the increase of wages, comparing 1866 with previous years. I find that, in 1841, in the county of Kildare, the wages were from 4*s*. to 5*s*. a week; they are now 8*s*. In Armagh, the wages in 1841, were 6*s*.; they are now 9*s*. At Castlereagh, in the county of Roscommon, the wages were, in 1841, 4*s*. a week; they are now 8*s*. In Killarney, county of Kerry, they were 5*s*., and are now 7*s*. I do not mean to say that even the rate of wages for the agricultural labourer is by any means what it ought to be; but I believe a gradual increase is going on that has tended much to the improvement of the country, and anyone who now travels through Ireland after some years' absence must see this in the appearance of the people. Moreover, this increase of wages has taken place without any proportionate or material increase in the price of food; for wheat has not risen in value, and oats and potatoes, though somewhat enhanced, have never of late years stood at an exorbitant price. So much for the rate of wages. Now take another, and perhaps a better test of the general improvement in the condition of the people—I mean the consumption of spirits and beer. I will take two facts—one giving the consumption of spirits and beer; the other the amount of deposits in joint-stock banks; the one showing expenditure, the other savings. It is impossible to ascertain the exact consumption of beer in Ireland; but the export is so nearly balanced by the import that the figures may be taken very much on that footing. It appears, then, that in 1863, 1,150,356 barrels of beer were consumed in Ireland, and 1,500,000 barrels in 1867.

With regard to spirits, the consumption of which has always been considered a fair test of the prosperity of Ireland, there has been a remarkable increase of consumption, notwithstanding the very high duty which spirits now pay. Looking back to the Returns, we find that wherever there has been a bad harvest the consumption decreases, while after a good harvest there has been a proportionate increase; so that, to a great extent, the production of spirits is a true indication of the consuming power of the people. The amount can be very accurately ascertained; for the high rate of duty prohibits its removal from bond till required for consumption. The permit system also enables officers to trace the removal of spirits to other parts of the Kingdom. The consumption of spirits in Ireland was in 1863, 3,891,579 gallons; in 1866, 4,518,254 gallons; in 1867, 5,102,756 gallons; being 1,210,997 gallons increase over 1863. The increase in 1867 over 1866 is far greater than in England. It was—England, 2·96 per cent; Scotland, 4·72 per cent; Ireland, 12·93 per cent.

If the consuming power is shown in the matter of spirits and beer, the saving power of the people is shown by a remarkable Return, which I now hold in my hand, of the deposits in the joint-stock banks. These two Returns taken together are the most valuable barometers of the condition of the people, for they invariably rise and fall according to the state of trade, the amount of employment, and the quality of the harvests. In the year 1860, the deposits in the joint-stock banks amounted to £15,609,000. Then came three years of bad harvests, 1861, 1862, and 1863, when there was a decline; in 1863, these deposits were only £12,900,000; but since then they have gradually increased. In 1865, they amounted to £17,000,000; in 1866, to £18,900,000, and in 1867, to £19,200,000. Here, then, is a marvellous increase in the savings of the people as shown by this unmistakeable test.

I will now call the attention of the House for a few moments to the state of crime in Ireland; and I think the House will be greatly struck by its extraordinary diminution. The criminals tried at assizes and quarter sessions were — in 1849, 40,989; in 1855, 9,012; in 1866, 4,326. The summary convictions before justice for petty offences other than drunkenness were—in 1849, 63,586 persons; in 1855, 29,274 persons; in 1866, 19,672 persons. I know that in 1845 the number of criminals was exceptionally large, but in 1855, it was by no means exceptional, and during the ten years between 1855 and 1866, the crime of Ireland, as tested by trials at assizes and quarter sessions, had decreased by 100 per cent.

Turning to another subject, let us see what has been done in the life-time of the present generation for the education of the people. In 1824, when the Commissioners of Public Education made their Report, I find that, with a population of 7,000,000, the largest number of children at school was 522,000, and the Grants made by Parliament for educational purposes only amounted to £50,000 a year. The Roman Catholic prelates in 1823 state their case thus—

> "The petitioners therefore deem it a duty to inform the House that the Roman Catholic poor of Ireland continue unprovided with school-houses, school masters, or with any such aids as are necessary for promoting amongst them a well-ordered system of education."

What is the fact now? In 1866 the number of schools enrolled under the National Board was 6,600, of which 4,000 are under the direct patronage of the Roman Catholic clergy. In these schools 900,000 children are being educated, and in other schools about 80,000; so that, instead of having only 500,000 at school, nearly 1,000,000 are now receiving an instruction far superior in every respect to that which was given in 1824; and last year this House voted to the National Board £310,000, as against the paltry sum of £50,000 voted at the beginning of this generation. That is an additional proof of the enormous improvement which has taken place in Ireland. Then, at the beginning of this generation, there was no system in existence for the relief of the poor. Since then a poor law has been established, which, though some of its provisions may be objected to, has for many years given effective relief to the destitute. Its expenditure for that purpose averages £600,000 a year, and since its establishment so large a sum as £19,000,000 has been spent from local resources upon general relief. An extensive system of medical charities has also been established, which is of the greatest possible benefit to the people; and there is now accommodation in the lunatic asylums of Ireland for 7,000 patients, who are maintained at an annual expenditure of £119,000. I merely mention these facts to show that almost every test which you can apply to the condition of the people exhibits the truth—namely, that extraordinary changes for the better have taken place in Ireland within the last thirty years.

I will only trouble the House with one other fact, and that relates to the trade of Ireland. It has been said that Ireland is purely an agricultural country, and you would therefore think that no great improvement could be expected in its commerce. But, as tested by the increase in the tonnage of vessels, the increase of trade has been enormous. A Return of the tonnage of vessels entering and clearing out from the port of Dublin shows that in 1847 the total tonnage entered inwards and outwards was 722,000 tons, and in 1867,1,400,000 tons. At Belfast during the same period the increase has been greater, the total tonnage in the former year being 500,000, and in 1867 1,300,000. In Waterford the increase in ten years was from 213,000 to 450,000 tons; and this increase has not been confined to the large ports, for while in Cork the increase of tonnage during ten years was 34 per cent, in Waterford the increase was 130 per cent; in Dundalk, 18 per cent; in Newry, 70 per cent; in Wexford, 33 per cent; in Sligo, 45 per cent; and in Coleraine, 100 per cent. There is one fact still more remarkable; for the Returns show that the increase of tonnage in Ireland has been proportionately greater than in England. The increase of tonnage in the whole of Great Britain during twenty years, from 1847 to 1867 was 58 per cent, while in Ireland it was 67 per cent. I find that while the increase of tonnage in Dublin was 98 per cent, and in Belfast 143 per cent, in Liverpool, which is just opposite, the increase was only 58 per cent; far less than Dublin and Belfast. I will not try to persuade the House that Ireland is a rich country, or that it is in a condition similar to England or to Scotland. But, comparing small things with great, and contrasting the condition of the country with what it was, I maintain there is nothing to show decline or a decrease of prosperity. The hon. Member for Cork laid great stress upon the decay of the country towns. I have no precise facts to lay before the House on that part of the subject, but I have a personal acquaintance with a good number of the country towns of Ireland, especially near Dublin and adjacent to the main lines of the railway, which might be supposed to be affected by any absence of prosperity among the agricultural classes, and my experience is that, so far from showing symptoms of decline, there has been during the last eight or ten years a gradual improvement which has extended to the country towns. In a small town near my residence houses have been built, business has increased, and its state is far better than it was ten years ago; and, although some may not have improved in the same way, there is, I be-believe, nothing in the state of the country towns to show that they do not participate in the general advance which is taking place all over Ireland.

And now let the House consider what has taken place since the commencement of the new policy which this country has pursued towards Ireland since 1824-5, the date of the first educational inquiry. In

1829 the Roman Catholic Relief Bill was passed. A short time afterwards a system of national education was adopted. A system of police, which has been found excellent and useful, was created. The constitution of juries was altered and greatly improved. The fiscal powers of grand juries were regulated. Municipalities were reformed, and placed upon a different footing. The Poor Law was established. The Landed Estates Court was created for the sale of incumbered properties. In fine, it is beyond a doubt, that a greater number of beneficial measures were never carried in any country within so short a period of time. Professor Ingram has truly remarked that changes so great, and made within so short a period, constitute the largest peaceful revolution in the history of the world.

Now, Sir, I think I have shown that there is nothing in the present state of Ireland to evidence a state of decay or decline. It now becomes my duty to refer, as briefly as I can, to some of the proposals that have been made with respect to the land of Ireland since the House met last year. Certainly there is no lack of physicians. There have been no end of prescriptions; but I think that if some of them were adopted they would make matters much worse than they are. I will advert to three or four of the notable proposals which have been made lately for dealing with the land of Ireland. There has been a proposition made by the hon. Member for Birmingham (Mr. Bright), another by the hon. Member for Westminster (Mr. Stuart Mill), and a third by the hon. Member for Kilkenny (Sir John Gray), all of which have obtained a considerable amount of public attention. All these tend to one thing—namely, in different ways to establish fixity of tenure; or, in other words, a peasant proprietorship in Ireland. The hon. Member for Birmingham proposes that the money of the State shall be lent for the purchase of land in Ireland, to be repaid by the tenant, as are the land improvement loans; and that a certain amount of money shall be added to the rent until the value of the farm is re-paid. The hon. Member for Westminster goes much further, for he would deal with the whole land of Ireland. He would issue a Commission to ascertain its value, he would buy it all up, and re-let it by the State to tenants for ever for a yearly rent. The hon. Member for Kilkenny proposes that a law should be passed which would give fixity of tenure to every farmer in Ireland; that the landlord's interest should be a mere rent-charge on the estate, and that the landlord should have nothing to do except to receive the rents.

In considering these proposals, it appears to me that the House ought to inquire for a moment as to what has been the tendency of similar measures in other countries, and what the state of things would be if they were adopted in Ireland, and if we found ourselves in the act of creating or of having created a large peasant proprietary in that country. One of the great arguments put forward in support of peasant proprietary is its supposed Conservative tendency. It is said that its effect is to get rid of discontent and disaffection, and that you always find in countries having a peasant proprietary political contentment and safety from revolution. That is a very attractive theory if it were true. But is it the case that, in countries where a peasant proprietary exists, a greater respect prevails for the rights of property and for the institutions of the State than in other countries? We must all admit that a respect for the rights of property is, next to the safety of life, the first object of all law, and the most important test of civilization. If I compare France and England in these respects, I find that, as regards England, although no system of peasant proprietary exists, and it is a country of large landed proprietors and tenant-farmers, yet there is no country in the world where the rights of property are so much respected. If I take France, where a peasant proprietary exists in a great part of the country, it will be found that, from time to time, the wildest views and the most subversive theories as to those rights have been promulgated and actually accepted by a great portion of the population. I think it will be found that at no remote period doctrines on these subjects were popular, which have never been adopted by any large portion of the people of this country. The experience of foreign countries, then, does not show that the existence of a peasant proprietary secures you from dangerous theories and discontent. Switzerland, which of all the countries of Europe has been quoted as a favourable precedent of the system of small holdings, was so lately as 1847 the scene of much civil disturbance in almost every canton. In 1848, in Austria, in Germany, and in Sardinia, the same results took place. Unfortunately for the argument, those countries which had the least to apprehend from a movement like that of 1848, which upset thrones and destroyed established Governments, were those very countries where small proprietors and the subdivision of land did not exist. But, Sir, these schemes are put forward as adapted for Ireland because it is broadly stated that those residing in the agricultural parts of the country, and engaged in the occupation of land, are thoroughly discontented and disaffected. If the fact be as is stated, and if the whole agricultural population of Ireland is thoroughly disloyal, some very stringent remedy might be necessary. But what are the tests of disloyalty? I am not prepared to say that among those engaged in agricultural pursuits, and particularly in the South of Ireland, there is not a certain amount of sympathy with disaffection. But the tests of active disloyalty and discontent are, firstly, emigration; secondly, the engaging in treasonable practices; and, thirdly, the existence of agrarian crime. Now, I believe that, as far as you can judge from these three symptoms, disaffection and disloyalty do not prevail to any considerable extent among the occupiers of land. With regard to emigration, it is found that the occupiers and holders of the soil are not leaving the country. There has been an enormous exodus, but it is gradually ceasing. It has been stated by Lord Dufferin in his book, and it has never been denied, that of the whole number of Irish emigrants in the years 1865 and 1866—and I believe the same thing holds good in regard to the year 1867—only 2½ per cent consisted of men who were engaged in the occupation of land. So that, if emigration be a sign of disaffection and discontent, it certainly does not exist to any considerable extent among the tillers of the soil. Then, with respect to treasonable practices, it must be admitted that their non-existence among the agricultural population of Ireland is a sign of the absence of active disloyalty and discontent. The hon. Member for Cork seems to despise facts; but I shall give him another in addition to those I mentioned the other night relating to this point. I have taken the trouble to ascertain the proportion of farmers and men holding land in Ireland who have been arrested on suspicion of being participators in treasonable practices since the suspension of the Habeas Corpus Act, and I find that, out of the whole number of persons who have been so arrested during the last three years —namely, 1,100—only fifty-six of them were men in the occupation of land. As this statement has been very much criticized, I have made a very careful analysis of those fifty-six men, and I find, from the nominal Return which I have in my hand, of the fifty-six persons described as farmers, that only twenty-four of them were men who actually lived by the land; that the remainder were either farmers' sons, or persons indirectly connected with land; and that, in reality, out of the 1,100 men arrested under the suspension of the Habeas Corpus Act, only twenty-four, instead of fifty-six were engaged in the occupation of the soil. Then turning to agrarian crime, certainly there was a time when that species of outrage was very common in Ireland; and if there was now so much dissatisfaction and discontent, so much undue competition for land—if the land question was a source of so much heartburning and disaffection as it is said to be, surely we might expect that there would be no diminution in that great mass of agrarian crime which so long disfigured our annals. Well, what are the facts on this point? The number of agrarian outrages, specially reported by the constabulary for the last twenty-two years are as follows:—1844, 1,001; 1851, 1013; 1861, 229; 1865, 178; 1866, 87. Sir, this is a most remarkable illustration of the untruth of the assertion that the entire tenantry of Ireland, as a class, is thoroughly dissatisfied; because, when we know how deeply they resent anything which they regard as interfering with their fancied rights in the land, and how that resentment led in past times to the commission of such fearful crimes, surely it is most satisfactory to find that, although in the year 1851 there were 1,000 cases of agrarian outrage reported, yet in 1866 only 87 were reported in the whole of Ireland.

Sir, in examining the proposals which have been made for the regeneration of Ireland, the House ought to consider what would be the immediate effect of such a proposal as that which has been propounded by the hon. Member for Westminster. The first effect of it, I believe would be that, if you were to create in the way he suggests a large number of peasant proprietors in Ireland, you would destroy almost all, or at least a great many, of the influences which bind that country to this. A Return was laid on the table of this House last year which shows the number of holdings that at present exist in Ireland; but I have ascertained the number of holdings which are valued at

£4 and under, and those which are valued at £8 and under. [The noble Lord then quoted a recent Return of the number of agricultural holdings in Ireland valued at £4 and under, and also of those valued at over £4 and under £8. From this document it appeared that of the holdings valued under £4, the general average acreage was 4½ acres, and the total number of such separate holdings was 174,939; while of the next class of holdings immediately above that sum in value —namely, those over £4 and under £8, the average size was 13 acres, the total number was 142,468.] He then continued: —Thus if the plan of the hon. Member for Westminster were carried into effect the State would be immediately called upon to exercise landlords' rights as to rent over the owners of 316,957 separate holdings, of the average size in the smallest class of 4½ acres, and in the next class of 13 acres, or more than half the entire number of holdings in Ireland. That is an undertaking in which I think this House would never attempt to embark. The social effect of it would be most disastrous. I believe you would find that you would remove at once from the people of that country a large portion of the influences which now bind them to the United Kingdom. But there is one feature which I think must occur to the mind of anybody who considers these proposals, and that is the certainty of heavy indebtedness which is sure to weigh upon these small holders. In every country in the world where these small proprietors exist the greatest tendency to mortgage their holdings operates. In the Canton of Zurich, it is stated that the load of debt pressing on the peasant proprietary is almost incredible, so that with the greatest industry and frugality, and under complete freedom of commerce, they are hardly able to stand their ground. In France the registered mortgages of land twenty years ago are said to have amounted to £400,000,000 sterling; and some remarkable facts have been brought to my knowledge lately with regard to Prussia, and the state of things which now exists there. It has been said that in Prussia the system of peasant proprietorship has been of the greatest possible benefit to that country; but I would remind the House that at this moment in East Prussia there rages a famine which has hardly ever been equalled; and the accounts of it which have been received are very similar to those which came from Ireland during the period of the great famine there. In a Report lately furnished by the Consul at Königsberg, it is stated that in those parts of Prussia where there is a great subdivision of land, with a peasant proprietorship, the people are now suffering from all the horrors of famine. The principal evil which, I believe, this plan or any like plan would effect in Ireland would be subdivision. What did subdivision mean in past years? Misery, nakedness, and hunger—death! The bare recollection makes one shudder at the possibility of its recurrence. Under such a system there is no possible means of recovery when bad times come upon the country. I do not believe that the lesson of 1847 and 1848 can ever be forgotten; and I am perfectly certain that if a proposal such as I have alluded to were adopted, the peasantry would evince the same tendency as they have always shown to subdivide their farms. It is, perhaps, difficult to bring back to recollection what really took place in former years. Is there anything, then, in the plan of the hon. Gentleman which would lead us to believe that those misfortunes which are still fresh in our recollection could be guarded against, or that there is any security taken by him that the evils which had been so often lamented would not inevitably recur? I will now attempt to address to the House some remarks as to the course which we have followed in Ireland, and the policy which we intend to pursue. Since we have been intrusted with the Government of the country we have endeavoured to adhere as nearly as possible to the principles laid down by Lord Derby when he took office two years ago. Lord Derby then said—

> "I believe that a Government in Ireland which shows itself determined to do its duty by all ranks and classes may hope to receive the support of a large majority of the Irish people, than whom there are no greater lovers of impartial justice. We do not propose in our government of Ireland to act on any exclusive principle. We desire to obtain the co-operation of all who have at heart the peace and tranquillity of the country, the maintenance of the rights of property, and the putting down of unlawful associations."—[3 *Hansard*, clxxxiv, 742.]

To that policy we have strictly adhered. In the treatment of Irish questions it requires much more courage to take a moderate and impartial course than to attach oneself violently to one party or the other. Men engaged in conducting the affairs of Ireland may gain popularity by attaching themselves to this side or that; but if you wish to govern Ireland properly, you must despise popularity gained by such means, and must go fairly and boldly forward in a straightforward and impartial course. It must be admitted that, intrusted with the Government of Ireland at an eventful period we have been successful in our endeavours to preserve the peace, though we have had difficulties to contend with of no ordinary nature. Still we have been enabled, by impartiality and firmness, to obtain that result. Conspiracy in Ireland has been checked; from one end of the country to the other the authority of the law has been vindicated. Numbers of persons have been prosecuted for offences connected with Fenianism and Whiteboyism, and there has been nothing to complain of in the conduct of the juries or of anyone concerned in the administration of justice in Ireland. All have discharged their duty with fidelity and loyalty. The result of judicial proceedings is remarkable. Since July 1866, 344 men have been tried; eighty-three were convicted, 151 pleaded guilty, twelve were acquitted; in seven cases only the jury disagreed; eighty were discharged on bail. With the exception of seventeen cases, the trials were confined to the four counties of Dublin, Cork, Limerick, and Tipperary. In the case of the processions in Ireland which took place after the Manchester executions, we did not deem it our duty to stop them until they assumed a character which showed they were completely seditious and almost treasonable. However, when we felt that it was necessary to put a stop to those assemblies, and when we issued proclamations for that object, we were obeyed throughout the length and breadth of the land without an appearance of opposition. There are three great and important questions which now occupy the public mind, as regards Ireland. There is, first, what may be called the land question. Now I think anyone who approaches the consideration of this subject must do so with a feeling somewhat akin to despair. For the last twenty-five years almost every Ministry has attempted to deal with it, nor has it been from any indisposition on the part of the House to legislate upon the matter that success has not been attained. The reason for this invariable failure is that the difficulties of the question are enormous, and that it is nearly impossible to provide by Act of Parliament for the endless variety of conditions under which land is held. Last year I introduced a Bill which would have gone a long way towards settling the question, which has been described by an able writer as one of the greatest boons ever offered to the tenantry of any country. It had this important feature, which I think was a new one, that it offered a simple and easy means of registering improvements made by tenants. That was a difficulty which had always been experiened in legislating upon this subject; for any scheme has little or no prospect of success which does not devise an easy method of recording the nature of the improvement when it is made. Without such a provision there can be no security against fraud and dispute. The Bill did not profess to deal with the question of tenure; it was limited to one portion of the subject—that of providing an easy mode of securing for the tenant compensation for improvements made by himself—an object which all the Bills which had been introduced in this subject had had in view. If, therefore, in the opinion of the hon. Gentlemen opposite, it be necessary to go further into the matter and deal with tenure, a different course would have to be taken from that which I proposed last year. That Bill, I must say, was not received in a very encouraging manner by hon. Members opposite, nor did it even elicit very warm approval from some of my friends on this side of the House; I shall ever regret that it was not amply discussed; for if the business of the House had allowed it to be more fully considered, I believe many of the objections taken against it would have been refuted. The hon. Member for Galway (Mr. Gregory) affirmed that it would be of little or no use, and that compensation was all moonshine. I still believe, however, that the House would do well to deal with the question of compensation, the question of leasing powers for the purpose of improvements, and the question of contracts, leaving aside the subject of tenure. I propose, therefore, during the present Session, to introduce a Bill very similar to that of last year. I propose to include in it provision for increased powers of improvement by limited owners, for the encouragement of written contracts. I have a strong opinion that there is much truth in the objections preferred against the parole tenancy which is so general in Ireland. There is no such thing as a tenant-at-will; but the greater portion of the occupations are held by a parole agreement, which in law is held to be a tenancy from year to year. That system has great disadvantages, and I believe that both landlords and tenants feel that it would be very desirable that all lettings should be by written contract. The provisions for tenants' compensations will not be in all respects identical with those proposed last year; but I hope to be able to show that, without interfering with the rights of property, they will give to the holders of land an easy means of securing monies which he may lay out in improvements; and, under certain conditions, will offer loans to him for the same object. I believe the Bill will be found to be as comprehensive a one as the House is likely to accept. I hope that the result may be that we shall arrive at something like general agreement on two or three branches of the question, and thus pass a measure which will be productive of great and substantial advantages. Therefore, I would entreat hon. Gentlemen opposite to consider favourably the proposals that I shall make; and that if we cannot do all that they would wish, or that they think desirable, that, at all events, we might take some steps in the present Session to endeavour to secure to Irish tenants full and ample means for securing money laid out by them in the *bonâ fide* improvement of the land. The Bill will be introduced immediately, and the Government will endeavour to the utmost of their power to pass it into law during the present Session. But, Sir, in addition to this, seeing the magnitude to which this subject has attained; seeing also the excitement and uncertainty which prevails in the public mind with respect to it; believing that an enormous amount of misconception prevails on the matter; and believing, also, that it will be very much for the advantage of the country that the great and important questions that have been mooted should be for ever set at rest, and believing further that these demands and this question will never be set at rest until the public and this House are in possession of further information on the subject, we propose at the earliest possible moment to institute a solemn inquiry into the whole state of the relations between landlord and tenant. We have come to this determination because statements are made and put forward by the highest authorities, both in and out of the House, which have led a portion of the public to believe that there is a great and an immediate necessity for the passing of measures with regard to Ireland, which have been termed even by those who proposed them, of a revolutionary character. When we hear such language as that which was used by the hon. Member for Birmingham not long ago, when he wrote that if Ireland was 1,000 miles away all would be changed, or the landlords would be swept away by the vengeance of the people. [Mr. Bright: No, no!] The hon. Gentleman will, no doubt, have an opportunity of contradicting that statement. [Mr. Bright: I contradict it now.] I am very glad the hon. Gentleman denies that he used such expressions; but they have been given in the public Press, and have called forth a good deal of comment and animadversion, and I never heard till this moment that he repudiated them. But the hon. Gentleman, if he has not made such statements, has certainly propounded remedies which would lead people to think that he entertained sentiments of that description. And the hon. Member for Westminster has declared that, in his opinion, Ireland can never be regenerated, unless an entire class, and that the most influential, are obliterated or got rid of.

Sir, the Government are not insensible to the fact, that statements such as these, made by high authorities, have had a great effect upon the public mind. Indeed, we find in all parts of the country, and throughout Europe, very false ideas are prevalent as to the real condition and circumstances of Ireland. We believe that till an inquiry is held into the real facts of the case, and the real state of affairs in that country, Parliament and the public can never come to right conclusions on the subject; and I would remind the House of the danger to Ireland, as well as to the Empire, of keeping this question open. It is a question that ought to be set at rest, and for ever; and considering the great demands put forward on the one side, and looking at the manner in which they have been received by a great portion of the public, I do not believe the question ever can be settled until more information is placed at the disposal of the House. Persons are now asking, "Are these statements true? Is it possible that, in a country so close to England, laws relating to the land so closely similar to our own should have such a different effect?" There is an additional reason why this inquiry is necessary—I have shown that there are few countries in the world in which changes so rapid and extensive have taken place as have occurred in Ireland within the last few years. Since the Devon Commission sat we have had a great emigration, with an enormous change of property, through the operation of the Landed Estates' Court, and we have also had a great alteration in the numbers and character of the occupiers of land. We therefore propose an inquiry into the whole subject. Although there have been inquiries and investigations, they have generally been of a partial character; and I believe that the landlords on the one side, and those who represent the tenants on the other, never have had the opportunity of deliberately and patiently setting forth their respective cases. In the Committee moved by the hon. Member for Cork, the inquiry was very one-sided; and I believe that, with two exceptions, witnesses only who represented a particular class of opinion were examined. The inquiry need not be long, but it should be conducted on the spot; and we hope that we shall be able to secure men of sufficient position, character, and knowledge to conduct it with success. The Commission will have to investigate the operation of the laws that regulate the tenure of land in Ireland, the arrangements and customs that exist between landlord and tenant, the system which prevails for compensation for improvements, the operation of the Incumbered Estates' Court, and the effect emigration has had upon the condition of the agricultural class. I believe the result of this inquiry will be to show that the state of things really existing in Ireland is very different from what it is represented to be; that there has been much exaggeration and false statement; and that if all parties will state their views fairly and fully much truth will be elicited. I cannot but think that it is most undesirable the House should proceed to any legislation further than that proposed either by myself or the right hon. Gentleman opposite (Mr. Chichester Fortescue), without some inquiry whether such legislation is needed at all. I believe it will be proved before the Commission that a great deal which has been said about a certain class in Ireland is far from the truth; and, that, instead of being the enemies of the people, they have performed their duties to the best of their ability, and in a manner advantageous to the country. And I am sure it will be shown that there is no foundation for the statements made as to the extreme dissatisfaction of the tenantry of Ireland with their condition. We hope the Commission will go and examine tenants in their own locality, who will themselves state what they desire; and I believe it will be found that they are by no means so extravagant or preposterous in their demands as has been stated by those who have assumed to speak for them. Sir, I hope that the proposal we make will meet with the approval of the House, and that we shall at once proceed to consider a measure dealing with a portion of this subject, and leave to inquiries those larger questions and plans which have been put forward with so much boldness by Members of this House, and by many writers in the public Press.

We may anticipate that a considerable portion of the time of this Session will be devoted to Irish affairs. I propose on a very early day to introduce a Bill for the Amendment of the Representation of the People in Ireland. I hope on Monday or Thursday next week to be able to state the proposals of the Government on that subject. With regard to the very important question of railway communication, I need not say that a large amount of dissatisfaction exists respecting the management of the companies, and we have proposed—with the concurrence, I believe, of men of all parties—to inquire into that matter. We have intrusted that inquiry to five very able gentlemen, and I hope before Easter that their Report will be upon the table. Though this may cause some amusement to hon. Members below the Gangway, who think of nothing but grievances of sentiment, I believe that there is no question of more importance to Ireland—none by which a greater boon can be conferred upon the country than by taking some means to improve the management and increasing the efficiency of the railways in Ireland, and I am not without hope that we shall be able to make a proposal to the House on that subject during the present Session. We have submitted the whole question of primary education in Ireland to a Royal Commission. That Commission is already at work. I regret very much that, owing to a very unfortunate circumstance, the commencement of its labours have been delayed; but this was unavoidable, for it arose from the great loss the country has sustained in the death of one of its most distinguished sons, the Earl of Rosse, who had consented to preside over it, who entirely approved of its appointment, and whose assistance and guidance would have been of great value. We have endeavoured to constitute that Commission fairly; to represent men thereon of all classes, creeds and opinions—men who have given much attention to the subject; and when I state that upon that Commission we have eight Roman Catholics and eight Protestants; that, of the two secretaries, one is a Protestant the other a Roman Catholic; that men representing every shade of opinion on educational matters are to be found among its members, and that they will pursue their labours with the greatest desire to come to a speedy and satisfactory conclusion, we may anticipate the most favourable results. With regard to the question of University education in Ireland, we are going to take a different course. There are two Universities now existing in Ireland. The one is the Dublin University, the other the Queen's University, which is an institution of later growth; for the Dublin University has been established for a great number of years. It was founded by Queen Elizabeth for the avowed purpose of encouraging and establishing the Protestant religion in Ireland. But, though it was established for that purpose, and though it has ever retained its Protestant character—the governing body being always Protestant—it has been conspicuous among all Universities for liberality. For a great number of years the prizes of this University, with the exception of the Fellowships, and a few foundation Scholarships, have been open to students of all denominations and creeds; although the governing body is composed exclusively of Protestants, the advantages of the institution are free to all; several Professorships may be, and, in fact, are at the present time held by Roman Catholics, while there is no interference whatever with the religious scruples of the students. In this respect an admirable example has been set by the University of Dublin, which ever since 1793 has led the way in all the questions of University reform. The result of this system of education has been that not only has this University been frequented by the Protestant population of Ireland; but it has also conferred the advantages of a sound University education upon numbers of Roman Catholics and Dissenters who have subsequently attained high professional or literary distinction. Of all the institutions which have been established in Ireland, this University is the most prosperous and healthy. There are now in Ireland 5,000 graduates who have taken their degrees in it, and who regard it with affection and veneration; and I do not believe that there is to be found among any class in Ireland any considerable body of men who are opposed to this University, or to the system of education adopted there. If that be so, it would be an act of the greatest madness, and impolicy, to attempt to disturb an institution which stands so deservedly high in the estimation of a great portion of the Irish people. Then, again, the Queen's University has done its work admirably. The fundamental principle upon which it was founded was announced by Sir James Graham, in introducing the Bill by which it was established, to be the absence of all interference, positive or negative, with the conscientious scruples of the students in matters of religion, and that principle has been strictly adhered to. It is a principle which has been supported by a number of the ablest and best men of Ireland, and has attracted a great number of persons of all creeds who were in search of a University education. But under that principle religious teaching forms no part whatever of the system of education, and the governing body is elected without any reference to their religious creed. There can be no doubt that since its establishment the Queen's University has done good service in the education of the Irish people; and I feel bound to state my opinion upon this point the more distinctly, because I was accused last year by hon. and right hon. Members opposite of having said that the institution had been unsuccessful. What I said on the occasion to which reference has been made was, that, while the Queen's University had done a great work in Ireland, it had failed to attract support from a certain portion of the people. I have now stated the exact position in which the two Irish Universities are placed. There exists, however, a large class in Ireland to whom the system adopted at neither University is acceptable, and who, therefore, decline to avail themselves of the advantages they offer. There is a large number of persons who object to send their sons to a University where the only religion taught is one that they do not profess, and there are also many who will not send their sons to a College where religious teaching does not form a portion of the system of education. Are these objections unreasonable? I ask this House to consider whether there are not many among us who would have the same objection to send their sons to Universities where the Roman Catholic religion alone was taught, or where all religious instruction was studiously omitted? That is the case here, and there have been various modes proposed for meeting these objections. The late Government attempted to remedy the grievance by the issue of a supplemental charter to the Queen's University, but that was resisted; and I believe that many of those who at first were in favour of the supplemental charter are now convinced that if that charter had been carried it would not have met any of the objections, taken to the existing systems. But we believe that a plan may be devised which, without interfering with, or restricting, or hindering the work of the two Universities, another institution may be erected, which will not be a dangerous rival to them. I have no doubt, that if we could now begin at the beginning, the best course for us to take would be to establish one University for the whole country. I am aware of the strong—I may almost say, the unanswerable arguments in favour of such a course. But such a state of things no longer exists. We have already two institutions which are deeply rooted in the affections of their adherents. We know what a strong and eventually successful opposition was raised to the supplemental charter for the Queen's University. No attempt has been been made to interfere with Trinity College; but I am persuaded that if it were, the opposition raised would be more formidable, and still more successful. I believe that in dealing with this question, it is better to supplement and to add than to pull down, destroy, or alter. We have at present three different systems of education at work in Ireland—namely, the purely denominational, the semi-denominational or mixed, and the united or secular system. Under the denominational system religious teaching is given to every student, everyone of whom must submit to be taught by persons professing one particular creed. Under the second system, which is that adopted at Trinity College, religious instruction is given by teachers to all those who profess the religion of the Institution, but no religious teaching is pressed upon those who profess a different faith. Under the third system, which is the one adopted at the Queen's Colleges, religious teaching does not form any part of the course of instruction given. Of these three systems, the second is that which has, in my opinion, been most successful in Ireland. The denominational system has failed to attract the complete confidence even of those who profess the religion of the schools where it is taught; and the secular system has been most fiercely assailed by persons of all classes and of all creeds. In Trinity College we find a system of teaching pursued which is acceptable to all who share in it, and which is looked upon without aversion by those who do not partake of it. You will find the same system in the non-vested schools of the National Board—certainly the most successful portion of the primary teaching administered in Ireland. It has been said that the multiplication of Universities is a very great evil. A good deal may be said on that subject; but, at the same time, I have no doubt that several Universities may be established in a country with the greatest possible advantage. For instance, in Germany Universities are very numerous; and no one will say that learning is not as far advanced there as in any other country in the world. Then, take Belgium, with its 4,000,000 of inhabitants; there are four Universities in that little kingdom. [An hon. MEMBER: Colleges.] Well, there are four Colleges in Belgium; but they resemble Universities; but you must recollect that the University of Brussels is an institution wholly different from anything in this country. The University of Brussels is nothing more or less than a licensing examining body, which has nothing to do with the teaching, discipline, or religion of the Colleges. It is quite possible that different Universities may be established in the country, so as to provide amply for all the requirements of education, without interfering with each other's efficiency. I am not aware that the establishment of the London University did in any way interfere with the education given in the older institutions. Certainly the foundation of the Queen's University had no injurious effect upon Trinity College; the number of students there is as large as before, and the only result has been to create a most wholesome rivalry between the sister establishments. It appears to me, then, that a third University may be founded in Ireland without injuring the existing institutions. I believe that what is desirable is that a University should be established in that country, which would, as far as possible, stand in the same relation to the Roman Catholic population as Trinity College does to the Protestant. We do not propose to found an exact or servile imitation; but we do consider that we should be taking a step which would be of the greatest public advantage, and which would tend very much to the furtherance of University education, if we were to establish an institution which should bear that character to a considerable extent. I hold that one feature of the new University should be that it should, after the first establishment, be as free as possible from Government control. I believe its constitution should be most carefully considered in the beginning; that the strict precise rules should be laid down in its charter; but that once these points were settled it should be left to walk alone, and should be relieved as far as possible from State interference. In my opinion, the success of the University must depend very much upon its independence, its self-reliance, and its autonomy; and I believe that all the great ends we have in view can be thoroughly secured by a judicious constitution of its original charter. We therefore propose to advise Her Majesty to grant a charter to a Roman Catholic University, to be constructed in the following manner. The institution which it is proposed to create will not resemble the existing Roman Catholic University in Dublin. It is proposed that, in the first instance, a charter should be granted, in the same way as the charter was granted to the Queen's University; that the governing body, under the original constitution, should consist of a Chancellor, Vice Chancellor, four prelates, the President of Maynooth, six laymen, the heads of the Colleges to be at first affiliated, and five members to be elected, so as to represent the five educational faculties—all being Roman Catholics. Future vacancies should be filled up in the following manner. The Chancellor should be elected by Convocation, and the Vice Chancellors should be appointed by the Chancellor. Four prelates should be nominated by the Roman Catholic hierarchy, the President of Maynooth should form one of the governing body, the six laymen should be elected by Convocation, and the heads of the affiliated Colleges should be *ex officio* members of the Board; and, besides, five members should be elected according to the five faculties, so as to represent in the governing body the teaching power of the institution. I believe that in that way we should provide all the elements of an independent and healthy establishment, that ample security would be taken for the faith and morals of the pupils; that there would be a preponderating and influential lay element in the constitution; that the elective principle would be completely recognized, and that those engaged in the teaching of the Colleges, and the general body of the graduates, would have a potent voice in the selection of the governing body. To the University thus constituted we would give the power of holding University examinations, of granting degrees, of determining what Colleges should be affiliated, and the course of studies to be pursued.

Such is the proposal we intend to make. And here I wish to state to the House that in this matter we have entered into no negotiations or communications with anybody whatever. We have felt that, if given at all, the charter should be the gift, not of the Government, but of Parliament; and that we should be only doing our duty and redeeming the pledge given last year, in making our first announcement on this subject to the House of Commons. But though we have taken this course, it will be our duty, having announced our plan, to enter into communication as soon as possible with those most interested in the matter, with a view of carrying out our plans effectually, and in the way most acceptable to them. Keeping in view, therefore, the principles we think necessary — namely, that there should be in the institution a powerful lay element, and that the elective principle should be fully recognized — we shall be prepared to listen respectfully and carefully to all suggestions and communications that may be made to us, and to endeavour to suit the new University to the requirements of those for whose benefit it is intended. I think in the mode in which we have dealt with this question we have best complied with the wishes of the House. I believe that the failure of the supplemental charter last year and the year before was attributable very much to the fact that this House was not sufficiently consulted, and that it came upon Parliament and the country as well as on the Queen's University by surprise. We have adopted the opposite course, we have made our first confidence to the House of Commons, our first declaration here; and, seeing that this University question has long been a matter of dispute in Ireland, we offer a plan by which we believe it may be finally set at rest — a plan which will not interfere with the vitality or strength of existing institutions, but will supply everything which has been demanded by those whose religious scruples prevented them from taking advantage of the present systems. With regard to endowment it will be essential, of course, if Parliament agrees to the proposal, in the first instance to provide for the necessary expenses of the University—that is to say, the expenses of officers of the University, of the University Professors, and also to make some provision for a building. It is possible that if Parliament approves the scheme it may not be indisposed to endow certain University scholarships. But with regard to the endowment of Colleges, it is impossible to make any proposal of that nature at present; and to that extent the question will be left open to future consideration. It is not, therefore, contemplated to submit any scheme for the endowment of the Colleges in connection with the University.

Sir, there is one other question which has greatly occupied the public mind. The Irish Church, after a slumber of nearly thirty years, has again become a subject of first-rate political importance. It has been urged by many that this question should be at once settled, and though the state of the Irish Church has of late years considerably improved, the principle on which it is founded remaining the same, it is contended that some sudden and immediate action should be taken in the matter. I beg to remind the House of what took place last year with reference to this subject. The noble Lord the Leader of the party opposite proposed in the other House of Parliament an Address to the Queen. As the noble Lord first gave notice of his Motion it stood in these words—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to give Directions that, by the Operation of a Commission or otherwise, full and accurate Information be procured as to the Amount and Nature of the Property and Revenues of the Established Church in Ireland, and as to the Means of rendering that Property more productive."—[3 *Hansard*, clxxxviii. 367.]

In that shape it remained on the Notice-book from the 31st of May, 1867, for some time; but on the 7th of June, a few days before the Motion was proposed, the following addition was made:—

> "And to their more equitable application for the Benefit of the Irish People."—[*Ibid.*]

The addition of these words gave rise to a debate, and, after considerable discussion and a division, a Resolution was ultimately adopted in the terms originally proposed by the noble Lord. That Resolution having been arrived at, the Government at once determined to carry out the intention of the other House of Parliament and appointed a Commission. It has often been stated that this Commission was of an unimportant character. That, in my opinion, is a very great mistake. I have ascertained from one of the Members of the Commission the precise mode in which the inquiry is being conducted, and the subjects investigated, and it has been stated by him that in the Report will be found, when it is presented to Parliament, an account of—1st, the whole property; 2nd, the mode of its distribution; 3rd, the services of those who receive the proceeds of this property, and the number of Church people under their care; 4th, the management of the property—and under this head would come the inquiry whether the management should be left as it is, or the property should be sold and capitalized, and whether it would be best that it should be managed by the Bishops and clergy, or by a Central Board under Commissioners? It will be possible, under the terms of the Commission, to examine into and compare the system of religious endowments in other countries, and how far they are applicable to Ireland. The Report, in fact, will set forth at a view the whole state of the Church revenues, and will show at a glance whether they are sufficient, or more than sufficient, for their objects. Even though the Commission has only been at work for three months, I am informed that they have already collected, with great labour, a mass of information at once novel and compendious. Contradictory statements have been made on all those points, and even in the last debate the most opposite assertions were made on all the matters referred to. I understand that the Commissioners are about to take oral evidence, and there is every reason to believe that the inquiry will not be protracted beyond the next two or three months, and it is quite possible that even during the present Session the Report of the Commission may be presented. Seeing, therefore, that the inquiry suggested by the Leader of the Liberal party has been instituted, and that the heaviest part of its labours are nearly concluded, the question arises, whether it is desirable or even possible that, during the present Session, and in the face of such an inquiry, any immediate action should be taken with regard to the Irish Church? Is there anything in the present state of the Irish Church, or of the country itself, to call for such hasty measures? The Irish Church is frequently put forward as one of the main causes of Irish discontent, and one hon. Gentleman went so far as to say that her abolition would be a cure for Fenianism. But surely, on this point, the evidence of the Fenians themselves is of some value. Now, in a remarkable article which appeared some time since in one of the magazines, and which, from its intimate acquaintance with the affairs of the Brotherhood, was evidently written by some one connected with the secret operations of that body, this was expressly denied. The writer of that article said—

> "Englishmen complain that the Irish are never satisfied with what is done for them. Exactly so. A hungry man is not satisfied when you give him a toy. The Royal visits to Ireland, which were once considered as the sovereign panacea for Irish disloyalty, the land distribution, advocated by John Bright and others, the abolition of the Irish Church Establishment, now mooted as a sure cure for Fenianism, are toys given to hungry men. What the Fenians desire is Ireland for the Irish, and they look upon all the promised reforms as bribes to seduce true patriots from a righteous purpose."

Such statements therefore were uncorroborated. If the Irish Church were abolished to-morrow, I do not believe that we should have a single Fenian the less in the country. But those who demand the overthrow of the Irish Church and its immediate abolition fail to propose any plan which is not immediately and strongly objected to. The noble Lord who moved the Resolution last year made a most elaborate proposition; but that proposition has been received with a general chorus of disapproval from the most distinguished Members of the party to which he belongs. The abolition of the Church is described as a measure which will restore peace and heal the wounds of Ireland. That statement I believe to be incapable of proof, because whatever dissatisfaction may arise from the existence of the Irish Church—and I would not for a moment deny that dissatisfaction and dislike to the Establishment does exist among certain classes—the present contest is nothing to what would be raised over its dead body. The highest authorities have expressed their opinion, and none more strongly than Earl Russell himself on this point. When a proposition was made some time ago, by a series of Resolutions in "another place," to distribute the property of the Irish Church among the different religious denominations in the country, the noble Lord said—

> "I can very well believe that the majority of the people of Ireland, seeing that the Church Establishment remains for the benefit of a minority, may feel that an evil and a grievance. But when the question is as to what should be done by the Government and by Parliament in regard to the subject, I must say that any such violent measure as my noble Friend proposes would, in my opinion, instead of remedying the evil, increase it to a very great extent. I am afraid that if my noble Friend were permitted to carry his proposed Act of Parliament into effect, and divide the Church property of Ireland between the Established Church, the Roman Catholic Church, and the Presbyterian Church, it would create more religious discord, more heart-burning, and more division than we have ever yet seen in Ireland."—[3 *Hansard*, clxxxii. 414, 415.]

That was the opinion of the noble Lord two years ago. The situation is unchanged. The Irish Church may be for many years a subject of ecclesiastical jealousy; it may be a constant theme for political declamation, possibly, too, it may in a short time become the subject of a party struggle; but nobody will ever persuade me that the Irish Roman Catholic farmer or labourer who, in passing the house of a minister of the Established Church, toward whose maintenance he does not contribute 1*s.*, but whom he has long known as a good neighbour and as a kind friend—I never will believe that he regards the existence of that man as an intolerable grievance or a badge of oppression. For my own part, I believe that if the Irish Church is overthrown, that overthrow can only be effected after a long and painful struggle—a struggle which must inevitably tend to the increase and aggravation of those discords and religious hatreds which have produced such evils in the community. The voluntary system is proposed in the interests of peace; there are parts of the country where the voluntary system is carried on in connection with the Established Church, and I am not aware that those regions are especially characterized by concord among the people. The question must be dealt with in a very different spirit from that which the advocates of entire abolition profess. The Presbyterians now receive a Grant from this House which is miserable in amount, and wholly inadequate to their requirements. The Protestants of Ireland are content with the system which prevails; but are not averse to improvements, and to such alterations of ecclesiastical arrangements as would make their Church better fitted to meet the wants of modern times. But we must not prescribe hastily. Of all the schemes which have been proposed I object pre-eminently to that known as the process of "levelling down." It is said that if you cannot elevate and raise the institutions so as to make them equal, the only thing to do is to abolish them altogether. I object to that policy. I think that proposals for universal levelling down are the worst of all propositions. It appears to be such an argument as a poor man would make to a rich one, when he had given up all hopes of becoming wealthy himself. "Equality is necessary for the welfare of the State. Get rid of your property, and let us sit down and starve together." I believe that in these matters, as in everything else, confiscation is the worst proposal that can be made, either as regards the Church or the land. The grievance of the Irish Church is admitted on all hands to be a grievance of sentiment. It is well known that the Roman Catholic landholders pay nothing, and the Roman Catholic proprietors pay little, towards the maintenance of the Established Church; I do not wish to say that because it is a sentimental grievance it is not one which may not deeply affect the feelings and the actions of a portion of the population of the country; but it is not one which affects her material prosperity. The Irish Church will never be abolished except after a long and desperate struggle. Those who cling to and support it are men of influence and power, of strong religious feelings and inflexible principles. Justice and policy may demand a greater equalization of ecclesiastical arrangements than now exists. But it was wisely said by the right hon. Member for Morpeth (Sir George Grey), that the Irish Church can never be overthrown except by a revolutionary process—a process which will involve all the evils of revolutionary change. If it is desired to make our Churches more equal in position than they are, this result should be secured by elevation and restoration, and not by confiscation and degradation. The despoiled will always feel much more aggrieved than those who have lost nothing; and I am certain that if so evil a day should come that a British Statesman should stand victorious on the ruins of the Irish Church, he would have achieved a triumph which would create few friends to British rule in Ireland, and would not fail to alienate the feelings and wound the susceptibilities of the large and influential section of the community to whom we are bound by every tie of sympathy and interest. It is now said, "Something must be done;" but I wish to warn the House against embarking in a rash and violent course, because a heavy cloud which will soon clear away now hangs over the land. We seek for no religious ascendancy nor party domination; but we do ask the House to support those who in Ireland have endeavoured, through storm and sunshine, to sustain British laws and British institutions, and have maintained good Government and freedom in the land. There has existed among us for some time a desperate conspiracy, which has for its object the overthrow of British rule and the dismemberment of the British Empire; but you cannot extinguish it by rash and inconsiderate legislation. Do not imagine for a moment, however, that we think nothing can be done. We believe that, as long as there is so much poverty, so little industry, so great an amount of party strife and religious rancour, so long will there be evils to be remedied and grievances to be redressed. Listen, therefore, to all complaints which are fairly made and moderately expressed: examine them carefully, and endeavour to discover whether they are well-founded or groundless; pass them by if they are baseless—remedy them if they are substantial; and, above all, let us endeavour to do something more than we have hitherto done in the way of fostering a truly national spirit; for I believe there is no mode in which we can appeal more forcibly and effectively to the feelings of the Irish people than by supporting measures and promoting objects which bear a national character and tone. But, though we should do all this, let us refuse — absolutely refuse — to change our laws or alter our institutions at the bidding of those who come among us from a foreign land to foment rebellion and civil strife. And if you look for support in Ireland herself, she will not fail you. There is a class in Ireland—a daily increasing class—which comprises within its limits men of all creeds and of all shades of political and religious belief. It includes within its ranks all those who possess the land, who direct the industry, and who, by their intelligence, character, and education, can pretend to guide anything that is sound in the public opinion of the country. The spirit of patriotism and love of country, as pure and as ardent as is to be found among any people in the world, animates their breasts. Their faces are not turned towards the West; for in their consciences they believe that every hope for their country or her advancement, for her welfare, her prosperity, and her liberty is indissolubly bound up in British connection. They desire, and, what is more, they intend, that their sons should be, as they themselves and their fathers have been, sharers in your greatness and your glory, your freedom and your power; and, though they will, with unswerving fidelity, cling to the principles to which they have long adhered, their best and dearest hope for

[☞ 2 Y 9 *follows*, *p.* 1393-4.

their country is, that the day may not be far distant when, not by penal laws or legislative restrictions, but by the irresistible logic of oft-repeated and continued facts, the whole mass of their countrymen may be brought to acknowledge, and, in acknowledging, to appreciate, the countless blessings that a free Constitution pours on the heads of a loyal and united people.

On Motion of Mr. HORSMAN,

Debate *adjourned* till *Thursday*.

POOR RATES ASSESSMENT, &C.

Select Committee *appointed*, "to inquire into the assessment and collection of Poor Rates and other local Rates and Taxes in England and Wales."—(*Mr. Ayrton.*)

And, on March 16, Committee *nominated* as follows:—Mr. AYRTON, Mr. HOWES, Mr. VILLIERS, Mr. Secretary GATHORNE HARDY, Mr. GOSCHEN, Sir MICHAEL HICKS-BEACH, Mr. EDWARD HAMILTON, Mr. KEKEWICH, Mr. BRIGHT, Mr. FLOYER, Mr. HODGKINSON, Colonel HOGG, Mr. ST. AUBYN, Mr. GOLDNEY, Mr. HIBBERT, Mr. POWELL, and Mr. TREVELYAN:—Power to send for persons, papers, and records; Five to be the quorum.

MALT TAX.

Select Committee *appointed*, "to inquire into the operation of the Malt Tax." — (*Colonel Barttelot.*)

And, on March 16, Committee *nominated* as follows:—Colonel BARTTELOT, Mr. STEPHEN CAVE, Mr. GOSCHEN, Mr. SHAW-LEFEVRE, Mr. LAING, Mr. ARTHUR PEEL, Mr. AYRTON, Lord EUSTACE CECIL, Sir EDWARD MANNINGHAM BULLER, Mr. READ, Major PARKER, Mr. HENRY SURTEES, Mr. MORE, Mr. DENT, The O'CONOR DON, Mr. HARDCASTLE, Mr. BENYON, and Colonel DUNCOMBE:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter after One o'clock.

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HOUSE OF COMMONS,

Wednesday, March 11, 1868.

MINUTES.]—SELECT COMMITTEE—On Special and Common Juries *nominated.*

PUBLIC BILLS — *Ordered* — Canongate Annuity Tax.*

First Reading—Canongate Annuity Tax * [60].

Second Reading—Artizans' and Labourers' Dwellings [1]; Lee River Conservancy * [38].

Referred to Select Committee—Lee River Conservancy * [38].

Committee — Compulsory Church Rates Abolition [13].

Report — Compulsory Church Rates Abolition [13-59.]

REPORT OF THE BOUNDARY COMMISSIONERS.—QUESTION.

MR. MONK said, he would beg to ask the Secretary of State for the Home Department, Whether he can inform the House on what day the separate portions of the Report of the Boundary Commissioners will be ready?

MR. GATHORNE HARDY replied, that he had made inquiries and he had been informed that it would take some time to prepare the maps, in consequence of the extent and minuteness of the work to be performed; but that they would be got ready with as little delay as possible.

THE CAB FARES.—QUESTION.

MR. T. CHAMBERS said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the Book of Cab Fares issued by authority, and the plates affixed to the Cabs, both of which are calculated to mislead the public as to the alteration in Cab Fares made by an Act of last Session?

MR. GATHORNE HARDY, in reply, said, it was quite true that there had been mistakes both in the Book of Fares and in the new plates affixed to the Cabs. He proposed shortly to bring in a Bill dealing with the whole subject of Cabs, with a view to consolidate the law and to re-arrange the fares, and he thought it better, under those circumstances, not to recall the recent issue of plates until it was seen how Parliament would proceed in the matter. There could be no doubt, however, that a mistake had been committed — but the cabmen generally knew it was a mistake, and also that they knew only one shilling should be charged when the distance was under two miles.

CHURCH RATES REGULATION BILL.

(*Mr. Hubbard, Mr. Beresford Hope.*)

[BILL 22.] SECOND READING.

Order for Second Reading read.

MR. HUBBARD, in moving the second reading of this Bill, said, that the importance of that question was not to be estimated by the £250,000 which were paid annually in the form of church rates, and still less by the £20,000 which were contributed by persons who were not members of the Church of England. The demand for a change in the law of church rates arose from the objection made by Dissenters to pay for the maintenance of a church and for the performance of Church services from which they derived no advantage. No one would deny that there was on the face of the matter a hardship in that position; but the case of those persons had been taken up by others who made that grievance the pretext for an onslaught upon the Established Church. Those gentlemen denounced a Church Establishment as an institution utterly at variance with the liberty of the subject and as a great social and religious evil. Those extravagant declarations upon the one side had been met by declarations equally extreme upon the other; and the result had been the rise of an irritating and prolonged contest. There existed, however, between these two extremes a large and a growing party who saw not one side but both sides of the question, and who were anxious for its adjustment upon principles which would recognize at once the claims of civil and religious liberty and the rights and privileges of the Established Church. For many years attempts had been made to settle this object of contention, and men who had now attained eminent legal positions had introduced Bills for this object. He had himself, in conjunction with his noble Friend the Member for Stamford (Viscount Cranborne) introduced a Bill some years ago for the accomplishment of that latter object, and that Bill was to a great extent the same as the one which he was then submitting to the consideration of the House. The measure would give to those who dissented from the doctrines of the Established Church the most complete immunity from any burden or any annoyance in the form of a church rate, while it would at the same time provide for the convenience of the inhabitants of the many parishes—amounting, he believed, to four-fifths of the whole number in England—in which church rates were levied, not only without any contest, but with the most perfect unanimity of feeling. In those districts the imposition of a rate could not he thought, be open to any objection either in principle or in practice; but he readily admitted that in parishes in which Dissenters were compelled to contribute to such a tax there existed a real grievance; and that grievance he would remove by the present Bill. It was manifestly desirable, in dealing with the subject, to give relief to the few in a manner which would not prove a hindrance and inconvenience to the many; and he believed that the best mode of effecting that object was the adoption of the principle of exemption. It was accordingly upon that principle that the Bill was founded. The view which he entertained of the question was that no one should contribute to a fund in the expenditure of which he had no interest; and the relief which in conformity with that principle he would apply to individuals would be extended to districts. There were many parishes in which new district churches had been established, and it would clearly be a hardship that Churchmen in those districts should be compelled to contribute to the maintenance not only of the churches which they frequented but also of the mother church. Both these objects were obtained by the Bill which he had introduced. Another provision of the measure met the case of those parishes which, under the Act of 1825, were enabled to raise loans and to repay them in twenty years by small instalments. That process was beneficial to the parties interested, and he should be glad to see it retained. The Bill contained a clause enabling that practice to be continued, and declaring that the Act of 1825 should not be repealed. Having now brought this measure before the House, he would leave the disposition of the matter in its hands. He trusted, however, that the Bill would be read a second time and committed to the same Committee as that to which the measure of the right hon. Gentleman (Mr. Gladstone) would be committed. He thought it would then be found that there were matters contained in the present measure which might be engrafted upon the Bill of the right hon. Gentleman.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hubbard.*)

Sir STAFFORD NORTHCOTE: I hope and believe that the House has assembled on this occasion in order to deal with this difficult question in a practical and conciliatory manner. On that account I rise, not for the purpose of entering into any general discussion upon the question of church rates; but in order to support the proposal that has just been thrown out by the hon. Member for Buckingham as to the mode in which the House should proceed in the business of the day. During several years in which I have taken part in Church questions, I have always maintained, and am still ready to maintain, that the existing system of church rates is in theory a fair, equitable, and advantageous one. I believe it is one which is well calculated to provide for the maintenance of our parish churches, and, speaking generally, it is the system which is best adapted to the wants of the Church. At the same time, I am aware that a very strong feeling is prevalent among the Nonconformist bodies, and even among Churchmen, upon the subject of this law—a feeling that it would be desirable, if possible, to put an end to discussions of an irritating and annoying character, which have so largely prevailed, and which have to some extent thrown discredit upon the Church itself. I have always felt that, as far as the maintenance of the churches is concerned, we have nothing to fear from an abolition of church rates. I do not think if such an event occurred that the Church of England would be found wanting in that voluntary liberality which has been so largely displayed by other bodies should she be reduced to the necessity of adopting the same system. But I would always maintain our system of church rates, on the ground that the parochial system is the best adapted for interesting the laity in the management and conduct of Church affairs. It is very undesirable, if we can avoid it, to break up that system which throughout a large part of the country is still acceptable to a great mass of the people. But in these discussions we have now had almost every possible argument presented to us, and have tolerably well threshed out and sifted them, and I suppose both sides have come to the conclusion that it is useless trying to convince each other on those points of the question on which we materially differ. Throughout the greater part of these discussions suggestions have been thrown out that some attempt should be made at a compromise. The principle of a compromise has been frequently admitted by those who support church rates. We have always said that if any fair and satisfactory compromise is proposed we shall give it a careful and candid consideration. This is not only so; but upon various occasions Members of the Conservative party, and on one occasion the Conservative Government themselves, have brought forward schemes for compromise. It has been generally found, however, when they came to be examined, that the Nonconformists and others hostile to church rates have not been satisfied with the terms proposed, and of course it is useless to propose compromises which we know will not be accepted. That is the reason why upon this occasion the Government have not come forward with a measure of their own. They felt that if they could have brought forward a Bill which in the spirit of compromise would have been acceptable to the Nonconformists, they would have felt themselves bound to do so. But they have seen nothing in the discussions of late years which is very encouraging in that direction. At the same time, we are very unwilling to discourage any attempt on either side to settle this question. Our feeling at present is that the House should take into consideration both plans now submitted—the one by the right hon. Member for South Lancashire (Mr. Gladstone), the other by the hon. Member for Buckingham (Mr. Hubbard)—with the view of seeing whether some arrangement cannot be come to by which a scheme may be devised that will be acceptable to the Nonconformists, and will work in with our existing system. Both these plans propose to preserve the parochial system, which would be destroyed by the abolition of church rates. It is very desirable to consider whether either of the two are likely to be acceptable to the House, and, if either, which would be preferred. I think the suggestion thrown out by the hon. Member for Buckingham is one of a satisfactory and practical character. It would work in this way—supposing the House supported the second reading of his measure the Motion will be made that it be committed this day. After the Speaker shall have left the Chair, as it is to be presumed he will presently do on the question of going into Committee upon the Bill of the right hon. Gentleman the Member for South Lancashire, the Motion will be made that the Bill of the hon. Member for Buckingham shall be referred to the same Committee. That being agreed to, I apprehend the Chairman of Committees will first go over the clauses of the first of these Bills, and then go over the clauses of the second. In that case, if any of the clauses of the measure of the right hon. Member for South Lancashire are rejected, we shall without loss of time be enabled to consider the clauses of the alternative plan of the hon. Member for Buckingham. If either of the Bills is accepted it will be to the exclusion of the other; but if neither is accepted, then we shall just stand where we are. In that way a practical result may be arrived at, which it will be the desire of the Government to forward as far as possible. The hon. Member for Bury (Mr. Hardcastle), desiring, as I gather, to forward the plan of compromise proposed by the right hon. Member for South Lancashire, has consented to let his measure—one of a wholly different character, for the simple abolition of church rates — stand over till a future day, a proceeding which will meet the convenience of the House; and I would suggest that the hon. Member for North Warwickshire (Mr. Newdegate), whose plan is also different from the two Bills now under consideration, which are cognate measures, should also allow his Bill to be postponed to a later day, in order that we may first consider the question of a compromise and see whether anything can be made of it. If nothing can be made of it, then will come the proper time for considering the other Church Rate Bills. I make this proposal, not for the purpose of delay, but, on the contrary, that we may not lose this day, but devote it to what may be a practical work, and perhaps conducive to the settlement of this very difficult question.

Mr. NEWDEGATE said, he would be happy to agree to the suggestion of the right hon. Gentleman (Sir Stafford Northcote), and would postpone his Bill till the same day as that on which the measure of the hon. Member for Bury (Mr. Hardcastle) was to be considered—namely, the 8th of April. He and the hon. Member for Bury practically agreed in the object sought to be attained. Both desired to give a universal exemption from all personal liability to the payment of church rates. They did not wish to pry by law into the particular religious opinions of any party whatever. He (Mr. Newdegate) adhered to the Resolution of the House in 1862—that it would be unwise and inexpedient to abolish church rates without some compensation. He objected to both the Bills that were now before the House because they would introduce the sectarian element, of singling out and separating members of the Church of England from the rest of their co-religionists. The Bills would, in fact, do what the late Sir James Graham always condemned—namely, ticket Dissenters. He objected to the fostering of any such sectarian spirit by means of law. He further objected to the measures because they would break up the parochial system in so far as the Church of England was concerned. He would not nail any man arbitrarily down to the religious belief of the day because he at a particular time objected to church rates. It appeared to him to be the very essence of sectarianism to do anything of the kind. Because he was too Catholic and too liberal to approve of any such procedure he should feel himself constrained to vote against the second reading of these Bills.

Mr. HARDCASTLE said, that, in postponing his Bill for a month, he did so not in the anticipation that that sitting would be employed in discussing the Bill of the hon. Member for Buckingham along with that of the right hon. Member for South Lancashire; but in the belief that the discussion of the last-named measure, in which he cordially concurred in its present shape, would occupy the time of the House that day. He could not agree that the Bills of the hon. Member for Buckingham and the right hon. Member for South Lancashire were cognate measures; they were, he believed, as opposite to each other as they could be, the one abolishing compulsory church rates, while the other did not. Although he might support the one, he must oppose the other. He suggested that the hon. Member for Buckingham should postpone his measure till the same day as those of his own and the hon. Member for North Warwickshire, and in order to give him an opportunity of doing so, he should move to leave out the word "now" in the Motion before the House, and insert the words "8th of April."

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon Wednesday the 8th day of April next."—(*Mr. Hardcastle.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. BERESFORD HOPE said, it was with considerable regret that he found that the hon. Member for Bury (Mr. Hardcastle) did not assent to the proposal of the Secretary of State for India (Sir Stafford Northcote), a proposal that seemed to be based on a desire, which he hoped actuated every one present, to settle the long-vexed question of church rates in a manner equitable alike to Churchman and Dissenter. That desire, he was sure, inspired every word that had fallen from the hon. Member for Buckingham (Mr. Hubbard), and also from the Treasury Bench. They all, or at least most of them, wished, not that the question should again fall asleep, for the time for suffering it do so had gone by—not to let it be an irritating sore next year, when new men and new minds, and, perhaps, more bitter feelings—though he hoped it would be otherwise—would be brought to bear on all questions affecting the relations of

Church and State, but that the last legacy of the old Constitution of 1832—if he might call a Constitution of their own lifetime old—should be the olive branch on the subject of church rates. What was the proposal that emanated from the Treasury Bench? That that Bill should be committed, not to a Select Committee, but to a Committee of the Whole House. It gave the right hon. Member for South Lancashire (Mr. Gladstone) the *pas*. He would come first; he might carry all his clauses, and then that Church Rates Regulation Bill was nowhere; for the clauses on that hypothesis already passed would be inconsistent with those that were to follow after. But if the recommendation of the hon. Member for Bury were taken, where would they stand? The 8th of April would, in all probability, fall within the Easter Recess, and to fix a Bill for that date would be practically the same thing as putting it off till the 1st of April, or some impossible day. To consent to such a proposal would be to consent, in a roundabout way, to the dropping altogether of the Bill, which bore the names of his hon. Friend the Member for Buckingham and of himself. But if they took the two Bills together this afternoon they would have the whole case fairly before them. That case turned upon the one distinction of "ticketing." The one Bill proposed that the Dissenters should be relieved from payment of church rates by claiming exemption, the other that Churchmen should undertake to pay them under a voluntary assessment—one scheme ticketed Dissenters and the other Churchmen. Everything which had occurred in that House led him more and more to the conviction that the old traditionary position of the Church of England, in which she had conferred such inestimable benefits upon the nation, might have well entitled her, while respecting the conscientious scruples of those outside her pale, to expect that those who objected to pay church rates should be content to be relieved from them by means of exempting clauses. And, although that was but a point of detail, still it was one of sufficient importance to be taken into consideration in this final Session of the present system of Parliamentary government. What was it, after all, that was called "ticketing?" If they looked at it, not as a sentimental grievance, but with the eye of common sense, it was an epigrammatic phrase; it was one of the many instances of which the history of the world was full—an epigram accidentally obtained currency, being accepted by unthinking people in place of an argument. What, he repeated, was the grievance of being ticketed; they had always twenty-four Noblemen who were glad enough to be ticketed with a "star and garter;" they had 658 Gentlemen in that House who were glad enough to be ticketed with "M.P." on the covers of their letters. In fact, the whole world was a system of ticketing and counter-ticketing, and must be unless they were reduced to the condition of savages running in a wood. Why, therefore, men of strong and peculiar religious opinion should object so much to that special kind of ticketing he never could understand. From their point of view it ought to be the most honourable one, as it showed the strength of their religious convictions. Still, he repeated, the point was one of detail; and if the House refused to adopt the conciliatory proposal of the Secretary of State for India, he would be none the less willing on that account to enter upon the consideration of the right hon. Member for South Lancashire's Bill, with a view, if possible, to modify it, but, in any case, to make it a settlement of the question. No doubt, it was not a Church Rate Abolition Bill, or it would not have been regarded in as favourable light as it had been on that (the Ministerial) side of the House. Still, it bore on its face the unlucky word "abolition;" and why, he asked, should that word, which had become the party badge of the Nonconformists, be retained there? If, on his own side, ticketing, and many other things which were thought desirable were abandoned, was it asking too much of the other side that, while it obtained the relief it sought for conscientious scruples, it should at least divest the affair of the character of a party triumph, and make it a settlement, an arrangement, a compromise, and in so doing excise that invidious and unnecessary word "abolition?" He hoped the result of the Committee would at least be that the Bill might be so far altered and amended. He rejoiced that the ultimate settlement of church rates, whatever form it might assume, was not to take the form of a universal fabric rate. That would be a most fatal settlement; for a universal fabric rate would be a declaration that the fabrics of the Church belonged to the nation, and they would soon become buildings entirely at the disposal and under the control of the bureaucracy of the country. There would be that assumption on the part of the Government of the day—of some Government, he meant which might prevail, not now, but perhaps twenty or thirty years hence an assumption of the property in those fabrics which exists in many commonwealths abroad, which would be followed here, as it already had been in those countries, by consequences equally subversive of the religious freedom of Nonconformists and of Churchmen. With this great danger in view he was the more conciliated to the present measure. He hoped, therefore, that the right hon. Member for South Lancashire would see no difficulty in conceding the moderate request of the Secretary of State for India, and allow the Bill before them to be read the second time *pro formâ*, and considered in Committee.

MR. GLADSTONE: It appears to me, Sir, though I will not dwell upon the point, that a question of form might be raised with respect to the proposal of my hon. Friend the Member for Buckingham. I cannot see how we can preserve due respect for the ground of the rule which directs that the second reading of a Bill shall be taken on one day and the Committee on another, if he is to propose now to read his Bill a second time, in order that it may be referred to the same Committee with the Bill which I have had the honour to introduce. It will be more material to go into the question of substance; but I am bound to say, in reference to the proposal of my hon. Friend, that notice should have been given of it, and that it should not have been introduced either by him or by the Secretary of State without notice to the House. Waiving however, that topic, I wish to explain the position in which I stand with regard to the matter, because I feel the force of the appeal which has been addressed to me from the other side, and I do not wish to deviate from the spirit which has thus been displayed. The meaning of the proposal is this: We are to assent to the second reading of the Bill of the hon. Member for Buckingham, and then refer it to the same Committee as the Bill which, for the sake of convenience, I have called mine. The measure might with equal propriety have been called that of the hon. Member for Hastings, that of the hon. Member for Birmingham, that of Mr. Fox (formerly Member for Oldham), or that of many other Gentleman, who have all made suggestions which are fundamentally embodied in my Bill. Apart from that, however, we are asked, I say, to read the Bill of the hon. Member a second time, and thereby to assent to its principle. Now, I lay down, without fear of contradiction, this maxim, that it is not wise to refer to the same Committee, Bills that are founded upon opposite principles. If it happens that there are Bills of a similar character some of the provisions of one of which might usefully be embodied into the other, such a procedure would be quite expedient and proper. But it is neither wise nor useful to refer Bills of totally opposite principles to the same Committee. The object of referring the Bills under notice to the same Committee is that we may test the principle of my clauses first, and if it is disapproved of we may then proceed with the clauses of the other measure. That, I hold, is the very question which ought to be decided upon the second reading of the Bill. My hon. Friend must feel the force of my objection. Why read a measure a second time at all if the principle upon which it proceeds is to be decided upon in Committee? It would certainly be very undesirable that the second reading should be considered to be a mere formality, and that the two Bills should be jumbled together when they go into Committee. The House has four different plans of dealing with the church rate question before it, each of which is perfectly distinct. The hon. Member for Bury (Mr. Hardcastle) has in my estimation adopted the simplest course. He recognizes the fact that the Bill which he proposes is different to mine, and he assents to the judgment of the House being taken upon mine as an alternative. For the sake of peace he is contented to support mine, and has postponed his own until the fate of mine is decided. The hon. Member for North Warwickshire again has a plan which is totally different and distinct from the others. That hon. Member is very much in favour of the preservation of the parochial system, but his Bill is by far the most ruinous to that system. He gets rid of the class of paying people, and hands the matter over to the class of landlords.

MR. NEWDEGATE: The right hon. Gentleman cannot have read my Bill.

MR. GLADSTONE: That seems to me to be a remark which would be more appropriate in a reply than used as an ejaculation. My hon. Friend gets rid not only of the working but the spirit of the parochial system altogether. It seems, however, that we are generally agreed that this Bill may be postponed until we have gone into Committee on the Bill I have had the honour to introduce. I come now to consider mine in conjunction with the Bill of the hon. Member for Buckingham, and to ask whether his principal clauses can, by any possible exercise of ingenuity, be reconciled with mine. Undoubtedly they cannot. Either my clauses must disappear and his clauses stand, or his must disappear and mine must stand. What, then, can be the use of referring that question to the consideration of a Committee of this House? Surely it is a question which ought to be considered now, and I venture to suggest to my hon. Friend that the course taken by him ought to be the same as that taken by the hon. Member for Bury. If he proposes his plan as an alternative, let us first see whether the House is disposed to accept of the plan embodied in my Bill. If not the House will pronounce upon the plan of the hon. Member for Buckingham, and he will able to submit his plan to the judgment of the House. My hon. Friend as well as myself gives up the question of church rates in the nature of a claim to levy from the whole community the charges for maintaining the fabric of the Church, on the ground that the services within the Church could be made available for the whole community. My discretion in the matter has become very narrow. My Bill was accepted on the second reading by many Gentlemen sitting on both sides of the House, and I am in the condition of a man who has virtually at least made a compact with my hon. Friends near me, and also with many Gentlemen sitting opposite, from neither of which do I feel myself at liberty to deviate. If I could adopt the clauses of my hon. Friend's Bill without deviating from the spirit of the compact, I should gladly do so, and so likewise I should adopt any suggestion made from this side of the House; but at any rate I consider myself bound to take the judgment of the House whether it is right to proceed with a measure which, on the one hand, entirely rejects from the church rate system every element of compulsion, whilst it retains, on the other hand, the form and material of church rates, and gives to the subscribers, whether Dissenters or not, the right of making inquiries as to the application of the funds thus raised. My hon. Friend does not proceed on this basis; he wishes to throw on the individuals who wish to exempt themselves from the payment of church rates the necessity of some special proceeding in order to attain that object. It would be a complete deviation from the compact made on the second reading of the Bill, if I understand him rightly, were I to accede to that principle. The distinct effect of my own measure is that the promises hereafter made as to the payment of church rates should be voluntary promises only, and not enforceable as church rates, or recoverable at law, except in circumstances under which any other promises would be enforceable. In the meantime, I think it impossible to accede to a plan which would throw on a Committee of this House the duty we ought to discharge on the second reading of the Bill.

MR. HUBBARD said, that upon the mere question of economy he thought his own proposition the better of the two. He believed that both himself and his right hon. Friend the Member for South Lancashire were agreed as to the principle of compulsion. [MR. GLADSTONE: No.] He entirely abjured the principle of compulsion under his Bill, except in the case of assumed acquiescence to pay the rate. If the House accepted the second reading of his Bill, it could then be seen whether, consistently with the forms of the House, it could be considered with the Bill of his right hon. Friend. He now asked the House to assent to the second reading of his Bill.

MR. WALPOLE thought that, considering they had now arrived at that stage of this long controversy in which they were endeavouring to settle the question in a manner which both sides of the House would more or less approve of, as well as the country generally, it would be better to go into Committee on the right hon. Gentleman's Bill, in order to see whether the Bill could be so shaped, with any Amendments that might be suggested on it, as to offer a thoroughly satisfactory settlement before going into the question as to certificates raised by his hon. Friend's Bill. Therefore he thought they would not lose any ground by postponing the Bill of his hon. Friend to the same day to which the other Bills were postponed, in order that they might have an opportunity of considering it again, in case they could not frame the right hon. Gentleman's Bill into a satisfactory measure.

MR. HUBBARD said, he was prepared to follow the advice of his right hon.

Friend, and would postpone the second reading.

Amendment and Motion, by leave, *withdrawn.*

Second Reading *deferred* till *Wednesday* 8th April.

COMPULSORY CHURCH RATES ABOLITION BILL.

(*Mr. Gladstone, Sir George Grey, Sir Roundell Palmer.*)

[BILL 13.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Compulsory Church Rates abolished).

Mr. HENLEY said, he was glad that the hon. Member for Buckingham had postponed his Bill, for, with two Bills under the consideration of the Committee at the same time, no progress would have been made. Both the Bills proposed to do away with the principle of church rates in different ways, and if the hon. Member thought his machinery preferable, it would be easy for him to propose to strike out the 4th clause of the present Bill, and to substitute his own plan instead. With respect to the first clause now under consideration, he should oppose it, and thus give an opportunity to anyone who wished to vote against the total abolition of church rates to say "No" to the clause.

Motion made, and Question put, "That the Clause stand part of the Bill."

The Committee *divided* :—Ayes 167; Noes 30: Majority 137.

Clause *agreed to.*

Clause 2 (Saving where Money due on security of such Rates).

Sir STAFFORD NORTHCOTE said, he wished to explain why he did not vote in the division which had just taken place. The Government, as he had said, were very anxious to deal with the present measure, and all proposals on the same subject, in as practicable a manner as possible, and he considered that they had gone into Committee in order to put the plan of his right hon. Friend (Mr. Gladstone) into the best shape it admitted of, to see whether the House could or could not accept it. He regarded the vote on the first clause as a vote on the principle of the Bill. Therefore, he did not consider it fair, after consenting to go into Committee, to vote against one of the main principles of the Bill; and, as he did not entertain any very sanguine hope of a satisfactory conclusion being come to, he abstained from voting altogether. He had been anxious to have a comparative discussion on the provisions of the present Bill and those of the hon. Member for Buckingham; but, as an opportunity for that purpose was not allowed, he thought it was their duty to pass the Bill in the best shape possible.

Clause *agreed to.*

Clause 3 (Church Rate already made may be recovered).

Mr. HUBBARD moved the insertion in line 12, after the word "rate," of the words "or rate in the nature of church rate."

Mr. NEWDEGATE asked, whether the object of the hon. Member was to extend the principle of the clause to those rates that were levied under local Acts not coming within the general provisions of the law? He thought it unjust and inexpedient to abolish compulsory church rates without giving some substitute to the parishes.

Mr. HUBBARD said, that the Amendment was intended to meet the case of loans made to some hundreds of parishes by the Public Works Commissioners on the security, not of church rates, but of rates in the nature of church rates.

Mr. GLADSTONE said, he would agree in this definition.

Clause *agreed to.*

Clause 4 (Voluntary Assessments may be made).

Mr. GLADSTONE proposed to leave out the word "assess" in line 18, and insert "agree upon." The Amendment was a verbal one, but it was made to meet apprehensions entertained in some quarter in consequence of the use of the word "assess."

Mr. HENLEY said, that under the proposed change the question might arise, and probably would arise, whether the persons who "agree" would be liable to be made to pay. This clause proposed to assess ersons who could not be there, and the question was how far it was likely that persons so assessed would be likely to pay. He thought it was very probable that such persons might say that they would pay nothing. Where it was a voluntary affair he thought it was more likely that people would like to measure their gifts in their own way. If church rates were swept away he believed they would get more money a thousand times told without such a machinery as this. It seemed to him that the Bill was a delusion; the House might deceive itself, but it would not deceive people out of doors.

MR. POWELL said, he thought there was considerable difference between the word "assess" and "agree upon," and that the difference was against the alteration suggested.

SIR ROUNDELL PALMER said, that the Amendment made no difference whatever with regard to the substance of the clause; it was merely an alteration in phraseology. With respect to the objection of the right hon. Gentleman (Mr. Henley), it was a sufficient answer that the Bill left the alternative of voluntary contribution without the form of a rate open wherever it might be preferred. On the other hand, there might be many places in which the object might be better accomplished by adherence to the accustomed mode of procedure; and no harm could be done by submitting the question to the parish, when those only would be bound who consented to bind themselves, and when even those who did consent would not be irrevocably bound till some expenditure had been made, or liability incurred, upon the faith of their agreement. It was well known as a legal principle that a voluntary promise founded on no consideration did not bind.

MR. WALPOLE said, he was acquainted with one parish where the rates were collected every year, but they were not collected by law, because the whole amount of the rate imposed in the previous year not having been duly paid up they could not strictly impose another rate. But what had been done there was that which the Bill would enable all parishes to do in future—namely, to employ the existing parochial machinery for the making of the rate and to leave the inhabitants to pay or not as they pleased. A large sum was collected in that way and also by voluntary contributions, and though he should have been better satisfied to see the church rate question settled in another manner, he believed that in a great number of parishes the parochial machinery would still be kept up, from an earnest desire to maintain the fabric of the church, and that a very large sum would be collected by its means in a way which would not be galling to Dissenters. The word "assess" should therefore be retained in the clause.

MR. HENLEY said, he doubted whether there was any instance under the voluntary system of contributions in which owners had been assessed as contra-distinguished from occupiers.

MR. HUBBARD said, he hoped the wording of the clause would not be altered as proposed, because the word "assess" implied an equitable apportionment.

MR. AYRTON suggested that it would be well to insert a clause which should permit of the assessment of either owners or occupiers, in order that the owners of property, who—as they were frequently told by the representatives of counties—desired to see the church maintained in all its integrity, might have the fullest possible opportunity of contributing in a proper legal form towards such maintenance. To deprive them of that power would not only be a hardship upon them, but it would also be a great national misfortune.

SIR STAFFORD NORTHCOTE suggested several difficulties that, to his thinking, stood in the way of this being done in a proper legal and binding form.

SIR ROUNDELL PALMER said, he should be willing to insert a clause which would, he thought, meet the case, and would also meet a difficulty suggested by the hon. Member for Lincolnshire North (Mr. Banks Stanhope), who wanted provision against the occupiers of property meeting and determining to tax the owners.

MR. SERJEANT GASELEE said, it appeared to him that the word "assess" was preferable. How could any one agree to pay a rate when they did not know to whom it was to be paid? They had passed the first clause; they had abolished church rates, and the best thing now that could be done would be to tear up the Bill. A select vestry could not know who would contribute, and therefore could not agree upon the rate that was necessary. The better course would be for the parishioners to be called upon to put down on paper how much they would contribute. He hoped the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) would divide on every one of these clauses, and he should have great pleasure in supporting him.

Mr. HIBBERT suggested that the Amendment should be adopted, but that after the word rate they should insert, "to be assessed."

Sir ROUNDELL PALMER accepted the suggestion, and the clause was altered accordingly.

Sir MICHAEL HICKS-BEACH was disposed to move that the word "owners" should be omitted.

Sir ROUNDELL PALMER hoped the word "owners" would not be left out.

Mr. WALDEGRAVE-LESLIE suggested that the word "or" should be substituted for "and," so that the clause should run "owners or occupiers."

Sir ROUNDELL PALMER observed that the clause did not authorize a separate assessment in each case. The assessment was alternative.

Mr. BANKS STANHOPE thought they were much more likely to raise a large sum if the assessment was upon occupiers only, and therefore proposed the omission of the word "owner."

Sir ROUNDELL PALMER explained that the only object in inserting the words was to enable the owner to pay the rate for the occupier.

Mr. AYRTON suggested the insertion of a clause to the effect that where the owner paid the rate he should be deemed a parishioner within the meaning of this Act. It would be a great pity to leave out the word "owner," seeing it had always been asserted by those who represented counties that the owners of property were so anxious to maintain the church in all its integrity. Why, then, deprive them of the opportunity of giving effect to their opinion?

Sir STAFFORD NORTHCOTE said, it was impossible to separate altogether the 4th and 5th clauses, and he wanted to know what would be the effect of the 5th clause in the case of an assessment being made by the parishioners in vestry upon the owners who were not otherwise members of the vestry; would they or would they not have a right to give their votes if a poll were demanded?

Sir ROUNDELL PALMER undertook to bring up a clause to carry out the suggestion of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton). As to the question just put to him, the 4th clause, as it now stood, did not authorize the vestry to make a rate upon the owner and not upon the occupier, but it provided that the rate when made should be upon the owner or occupier.

Sir STAFFORD NORTHCOTE: Suppose they both wish to have the option, which is to have the opportunity of going to the poll?

Mr. AYRTON said, he did not think there would be any difficulty in the matter. If the owner arranged with the occupier that he would take the burden upon himself, he might do so at the very commencement, and take part in the vestry.

Mr. BANKS STANHOPE said, he would withdraw his Amendment upon an undertaking by the hon. and learned Member for Richmond (Sir Roundell Palmer) to provide against owners of property being assessed instead of assessing themselves.

Mr. HUBBARD proposed to add at the end of the clause the words—

> "And nothing herein contained shall prejudice or affect the provisions of the Act of the fifth year of George the Fourth, chapter thirty-six, except that the consent of the entirety of the persons in vestry assembled shall be substituted for the consent by the said Act required."

He explained that the object of the abolition was to enable money still to be borrowed on the rates for re-building, repairing, and enlarging churches; and his proposition was that money should be borrowed only upon the consent of all those at the vestry, instead of by a majority, as the law now was.

Mr. LEEMAN thought the adoption of such words would altogether stultify the Committee, and give a few energetic Churchmen the power of passing a resolution for the re-building of churches, whereby rates would continue to be levied for twenty years.

Mr. HODGKINSON appealed to those who had charge of the Bill to deal with the question of giving people liberty to assess themselves.

Mr. HUBBARD said, his proposal would only come into operation with the consent of the entire parish.

Mr. ACLAND said, he was unwilling to embarrass those who for so many years had been endeavouring to effect a settlement by abolishing the compulsory rate; he thought, however, it might be expedient to adopt in this Bill a clause he had brought forward last year, enabling the owners of property to charge their estates to a certain extent for the maintenance of churches.

Mr. GLADSTONE said, he wished to

explain the principle on which he had proceeded. His hon. Friend proposed that there should be, under certain circumstances, a power of voluntary charge upon property, to be executed by owners individually, and without any parochial machinery, for purposes to which church rates had been heretofore applicable. That might be a very proper subject for legislation; but he would say to the hon. Gentleman, and to the promoters of other propositions, that it would not be convenient to make this Bill a comprehensive measure on the subject of church rates. The object of the Bill was to remove that which had been an element of contention in reference to most questions connected with the Church. He confessed that there were several matters connected with the law of church rates which required further consideration. There were the questions as to the mode of providing for old rates made under an Act which had been referred to; as to ecclesiastical districts in reference to this Bill; as to voting at select vestries; and as to the compulsory payment of visitation fees, which heretofore had been charged upon church rates. But he repeated that the matter would be greatly perplexed if it were attempted to make this Bill a comprehensive measure upon church rates.

Lord JOHN MANNERS said, that the existing provision, which enabled money to be borrowed on the security of the rates for the repair or restoration of a parish church, was of the greatest value. Without it in many cases it would be impossible to carry out repairs amounting virtually to re-building the church. Under this Bill, the power now possessed by vestries to so borrow money would be necessarily terminated; and to that extent the measure was certainly objectionable. He therefore hoped the House would pause before finally giving its assent to the Bill.

Sir ROUNDELL PALMER said, it would be quite possible on some future occasion to provide a substitute for the borrowing powers of vestries on the security of the rates, without in any way infringing upon the principle of this Bill. He agreed, however, with the right hon. Member for South Lancashire that it would be wrong to complicate this Bill, which was intended to effect a particular purpose, by introducing into it clauses to carry into effect all those consequential measures which, on a future occasion, it might be right and expedient to take.

Mr. HUBBARD said, he hoped that the right hon. Member for South Lancashire would introduce a Bill to effect this object.

Mr. BAINES said, he thought the fear expressed by the noble Lord (Lord John Manners) was visionary and groundless. He knew the cases of comparatively poor Dissenting congregations, who had by voluntary contributions raised sums amounting to £2,000, £5,000, £10,000, £15,000, and even £25,000, in order to build chapels and carry out other similar objects. If this was so, there ought not to be very great difficulties in the way of rich Church of England congregations.

Lord JOHN MANNERS said, he was aware that it was perfectly easy for rich Dissenting communities to raise the necessary sums for building and repairing their chapels; but the case was very different in small rural districts, where the churches—many of which required repairs almost amounting to re-building—had been built 400, 500, 600, or 700 years ago. In cases of that kind, it was not mere repair that was wanted every now and again, but an almost complete re-building of the church. In order to show that the provision to which the hon. Member (Mr. Hubbard) had referred had been of great value to the Church, he might say that the last Return showed the amount which had been borrowed for Church purposes on security of the rates, and now remained outstanding, was £170,000, no less a sum than between £14,000 and £15,000 having been borrowed for that purpose last year. He thought the House ought to consider very carefully before it finally committed itself to the approval of a Bill, one of whose provisions was the doing away with a power so important and useful as the one to which he had referred.

Amendment *negatived.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 5 (If at any Vestry for assessing such voluntary Rate Poll demanded, Names of Voters to be entered in a Book).

Mr. GLADSTONE explained that the object of this clause was to prevent those who did not intend to be bound by the decision of the majority from obstructing those who really intended to contribute to the rate. He proposed to insert words which should limit the operation of this clause to the first time of a meeting being called for the purpose of assessing such a voluntary rate, since the 8th clause provided for all subsequent meetings for that purpose.

Mr. BERESFORD HOPE thought, before adopting the Amendment, they ought to know more clearly from the right hon. Gentleman, or from the hon. and learned Member for Richmond, how far the provisions of the Bill would go in enforcing an equitable promise; and, also, whether a ratepayer might signify, by letter addressed to the churchwardens, his desire to have his name placed among the number of the voluntary subscribers.

Sir ROUNDELL PALMER said, that the object of the 5th clause was to exclude the possibility of obstruction being offered, in the first instance, to the use of the power to make a voluntary rate by persons who, if a rate were made, would not be willing to pay it; whilst the 8th clause said that where a rate was in operation no one who refused to pay the last rate should be at liberty to take part in voting in respect to the application of the money, or to the making a further rate. With regard to what the hon. Member for Cambridge (Mr. Beresford Hope) said, he (Sir Roundell Palmer) did not understand that the provision referred to had for its object to bind any persons who agreed to pay the voluntary rates by contract. He apprehended no mere promise of the kind contemplated would be in itself, without some subsequent consideration arising out of expenditure made, or liability incurred, upon the faith of it, a contract enforceable either at law or equity. It was not the object of the clause to control or interfere with the operation of the ordinary rules of law as to contracts, but to secure the system against the obstruction of persons who were not *bonâ fide* willing to accept the measure. He apprehended that there would be no obstacle to any person wishing to subscribe signifying his desire by writing.

Mr. DENT thought it would be better to omit this clause altogether, as the class of small farmers, who would be principally affected by this Bill, were notoriously averse to putting their names to anything which they thought might subject them to unknown liabilities. He was opposed to the provision in question.

Mr. HENLEY remarked that the hon. and learned Member for Richmond (Sir Roundell Palmer) had, by his explanations, made the matter less easy to understand than it was before. It appeared to him (Mr. Henley) that these things ought to be made as plain as possible. When it was considered the difficulties of proving what was or what was not a contract, it was not unreasonable to urge objections to such machinery as that proposed. The introduction of the words "the first time" made the meaning of that part of the clause somewhat dubious.

Mr. GOLDNEY suggested that the meaning of the words "first time" was made intelligible by a reference to the 8th clause.

Mr. GLADSTONE proposed the insertion of the words "for the first time after the passing of the Act," to make the provision intelligible, and to meet the objections of the right hon. Gentleman the Member for Oxfordshire.

Amendment *agreed to.*

Words *inserted.*

On Motion, "That the Clause, as amended, be agreed to,"

Sir STAFFORD NORTHCOTE expressed his opinion that it would be likely to prove an encumbrance rather than of value to the rest of the Bill. People would be afraid to put their pen to a declaration which might commit them to a liability they knew nothing of. The whole scope of the Bill was to get rid of the compulsory enforcement of church rates, and this clause appeared to him calculated to operate in the exact opposite direction. By Clause 8 no person was to be entitled to vote upon any question as to making any voluntary assessment who had not paid the amount of his share of the previous voluntary assessment, and he did not see why that clause was not sufficient for the purposes for which the 5th clause was proposed.

Sir ROUNDELL PALMER said, that unless the 5th clause was retained there would be no security, in the first instance, corresponding with that given at a subsequent stage by the 8th clause, against obstruction being offered to those who were willing to pay the rate.

Mr. KENDALL said, it was obvious that persons would not sign such a declaration as that proposed by the clause, unless they were distinctly informed what liabilities would be incurred by their so doing. He thought that the tendency of the clause would be to prevent those who were anxious to support the Church from endeavouring to do so.

Mr. DENT said, he could not see that any useful object would be attained by requiring the names of an unsuccessful minority to be attached to the schedule, as was contemplated by this clause.

MR. GLADSTONE said, he did not believe that practically any majority would be inclined to abuse its power; but having heard from the Secretary of State his opinion that the clause was not necessary, he should certainly not feel justified in pressing it upon the House.

Clause *negatived.*

Clause 6 (Voluntary Payments and Agreements for Contribution may be made).

THE SOLICITOR GENERAL thought that an addition was required. He was not sure that any action at law could be sustained against a subscribing parishioner, unless the whole of the subscribers were made plaintiff. He suggested that words should be added providing that the churchwarden, chapelwarden, or treasurer should be the nominal plaintiff in any action brought for the recovery of the rate.

SIR ROUNDELL PALMER said, he had no objection to offer to the proposed Amendment.

MR. ALDERMAN LUSK objected to the words proposed, on the ground that the rate being placed upon the voluntary principle there should be no legal proceedings for its recovery.

MR. GLADSTONE reminded the House that voluntary promises were binding under the present law, where third parties had been induced to incur certain expenses under them. In the event of parishioners agreeing to a rate for repairs, and the repairs being consequently executed, it was clear that there was a legal as well as moral obligation to pay for them; and all that the present clause did was to place the voluntary promises in the same position as those who by the present law were liable, and not that there should be a special and separate law on the question. If he were to abandon this clause he should be breaking, substantially infringing, the contract or understanding on which he had brought forward the measure. He had no objection whatever to the adoption of the judicious Amendment of the Solicitor General.

MR. SERJEANT GASELEE objected to the Amendment of the Solicitor General, as it might give rise to much confusion. Counsels' opinion would have to be taken who was the right party to sue. He did not agree with what the right hon. Gentleman (Mr. Gladstone) said of the hon. Member for Finsbury because he believed that his hon. Friend was as capable of understanding the subjects upon which he spoke as any other hon. Member of that House. He objected to all proceedings for enforcing payment in Courts of Law or in Equity. He was a supporter of the Church, and he preferred that it should be done voluntarily. This Bill was a sham, and he objected to the introduction of the proposed words on the ground that they would not be intelligible to the farmers. In such a measure it was out of place to make provision for an action being brought as the clause provided "in a Court of Law or Equity." If any Court was to be resorted to why should it not be the County Court, where "expenses were small?" Fancy the idea of a man who promised to pay £1 being drawn into a Chancery suit, and having to pay large costs. He had some experience of Courts of Law, and he advised everybody to keep out of them. And as to the Court of Chancery, he once had some money left him, about £1,500, to obtain which it was necessary to have what was called an amicable suit. All parties were friendly, and there was nothing hostile in any of the proceedings, but it actually cost him £300 before the affair could be settled. For that reason he was very anxious that people should keep out of Chancery. He trusted that the latter part of the clause would be altogether omitted.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 7 (Application of Funds).

MR. GLADSTONE moved, that, at the end of the clause, the following words be added:—

> "Provided also, That nothing in this Act contained shall authorize any alteration of the Fabric, or Ornaments, or Services of any Church, which would not be lawful if this Act had not passed."

He moved the addition of these words for the purpose of removing any apprehensions that might have existed that the funds raised under the Bill might be the means indirectly of weakening or altering the present law. He thought, however, it would be well to add the words now proposed.

MR. HUBBARD asked, if any case could by possibility arise under the Act for which the Amendment was proposed to provide?

SIR ROUNDELL PALMER said, that in his opinion the Amendment was not in the least degree necessary. The words were unnecessary, but their addition would do no harm.

Words *added.*

Clause, as amended, *agreed to.*

Clause 8 (No one to vote who has not paid).

Mr. HENLEY asked, for how long a person would be liable who had declined to pay his contribution?

Sir ROUNDELL PALMER said, he would only be liable to the exclusion for non-payment of the last preceding assessment only, whether made in the current or in any preceding year.

Clause *agreed to.*

Clause 9 (Short Title).

Mr. HUBBARD proposed to amend the short title of the Bill from Compulsory Church Rates Abolition Bill to the Compulsory Payment of Church Rates Abolition Bill.

Amendment *negatived.*

Clause *agreed to.*

Mr. CANDLISH then moved the following new Clause:—

> "Definition of 'Church Rate'—The expression 'Church Rate' in this Act shall extend to and include every rate or part of a rate levied in any parish, under any local Act or otherwise, for any purpose to which Church Rates may now legally be applied."

He mentioned the case of a parish in Sutherland, a local Act for which provided for the levying of a church rate for the payment of the stipends of the parson and the clerk, and for the repairs of the church. That Act was not repealed by the present, and as similar Acts might exist for many other parishes, church rates would subsist in their full force in those cases. In order to produce uniformity he proposed his clause.

Mr. GOLDNEY said, he hoped the hon. Member would not press his Motion; the clause involved a large question, and would be unjust to many. It happened that the Church in many places had possessed lands which she had given up on being empowered by a special Act to levy church rates. Moreover, the clause was too broad in its wording. It would in some cases prevent the collection of rates for ordinary parish purposes, such as mending roads.

Mr. THOMSON HANKEY concurred in the view expressed by the hon. Gentleman opposite (Mr. Goldney), and stated that the parish of Marylebone would be injuriously affected by the clause as it stood.

Mr. PEASE said, he hoped the hon. Member for Sunderland (Mr. Candlish) would take the sense of the House on the question, for without the proposed clause the church-rate of Stockton would be levied as before, whereas if it passed no injustice would be done to any person, and no vested interest would be depreciated.

Sir ROUNDELL PALMER thought the principle of the proposition clearly right, although the wording of the clause might require revision, and perhaps some provisos would be wanted to meet the case suggested by the hon. Member for Chippenham (Mr. Goldney). If, by particular Acts, powers were given to levy, under the name of church rates, rates for purposes substantially different from those to which church rates were by common law applicable, in consideration of some pecuniary or other equivalents, it would clearly not be right to interfere with those powers. But it would be impossible to work upon any provisions which might be contained in those Acts, as to raising money by church rates for purposes to which they were previously applicable by common law, as more sacred than ordinary church rates. The power to make rates for these purposes existed before any such Acts were passed; and therefore could not have formed any part of the consideration for any relinquishment of other proprietary rights. Since the clause had been upon the Paper he had received communications from Marylebone, which had a local Act of the nature referred to, showing that considerable alarm existed there for fear that the proposal would disturb the local arrangements of the parish. If the hon. Gentleman who had proposed it would consent to its withdrawal, he (Sir Roundell Palmer) would, between the present time and the Report, consider the subject, and put the clause into such a shape as, he hoped, would meet the object of its mover, and at the same time obviate the objection just mentioned.

Mr. CANDLISH said, after the statement of the hon. and learned Gentleman he would for the present, with the leave of the House, withdraw the clause.

Mr. GOLDNEY said, he hoped the hon. and learned Gentleman would also take into consideration the cases he had suggested.

Clause *withdrawn.*

MR. DARBY GRIFFITH moved the following clause:—

"Every person who shall be tenant or lessee of any property of house or land, or either or both, who shall have heretofore paid Church Rates as part of the legal and customary outgoings of his tenancy, if he shall not give notice of his intention to continue to pay such Church Rates in future, shall pay to his landlord or lessor a sum equal to the average amount of Church Rate which he may have paid during the previous seven years, if his tenancy shall have lasted so long, and if not, then the average amount he may have paid during the time of such tenancy, to be paid by him to his lessor or landlord in addition to his rent, and as part of the same, and to be recoverable at law or in equity by the same legal means as his actual rent."

The clause, he said, was not opposed to the principle of the Bill, but he thought the tenant-farmer ought not to derive any incidental advantage from it. Church rates, of course, belonged to the land, for where they were imposed there was a corresponding deduction from the rent; and if the tenant held by a lease, he would without this clause obtain an advantage to which he was not otherwise entitled.

MR. READ said, if this clause were added to the Bill he hoped a proviso would be added to the clause that the landlord should not put the money so obtained into his own pocket, but hand it over to the churchwarden.

MR. NEATE supported the clause in the interest of the tenant-farmer, who, he believed, would be a grievous sufferer by this Bill. At present there were many Nonconformist tenant-farmers, and the landlords, as a rule, did not object to them; but under this Bill, if a dissenting tenant-farmer did not pay the church rate he would become a marked man. It would be the same with the village grocer. The Bill, in fact, would prove in effect, though not in intention, a Bill for the eviction of rural dissent. He must add that religious intolerance was not all on one side, for very lately a Dissenter having come into some property evicted a very excellent tenant because he was a Churchman. Properly entitled, the measure would be called an Act for the Extermination of the Rural Dissenter, and the House might expect that after it had been in operation for some time a wail of lamentation would be raised in the country, and petitions would pour in praying that the Church be thrown on the Consolidated Fund, and that a law be passed to prohibit the pernicious practice of eviction, the fruits of religious intolerance.

SIR MATTHEW RIDLEY trusted the hon. Gentleman would not persevere with his Motion. They had now disposed of compulsory payments, and this was an attempt to introduce them again by a side wind. These matters ought to be left to private adjustment between landlord and tenant, and he was confident that in the main such an adjustment would be made. He had always been a strenuous supporter of the church rate, and had voted against the first clause of this Bill. But he had been left in a minority, and now he hoped the question would be settled.

MR. HENLEY said, his opinion was that the Bill was not a good Bill; but this clause, with all due deference to his hon. Friend, was a great deal worse than the Bill. The Bill was something like a proposition to rob the Church, and now this clause would not allow the tenant-farmers for the few years of their lease to come in for their share of the spoil. That was something like consenting to a theft, and was much worse than the Bill. He did not think any landlords would be found to take the money — they would feel it burn in their hands.

MR. GLADSTONE said, he thought the objections taken to this clause by the right hon. Member for Oxfordshire, in whose opinion he fully concurred, with the reservation of course of his opinion as to the general scope and aim of the Bill, and the objections of the hon. Baronet the Member for Northumberland, in whose opinions he fully concurred, saved him the trouble of going into his objections in detail. The broad objection to the clause was that these matters between landlord and tenant were beyond the discretion and useful scope of legislative interference, and he therefore hoped the hon. Gentleman who had proposed the clause would not press it further, seeing that the sense of the Committee was evidently opposed to it.

MR. DARBY GRIFFITH said, he would withdraw the Clause.

Clause *withdrawn.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 59.]

ARTIZANS' AND LABOURERS' DWELLINGS BILL—[Bill 1.]

(*Mr. M'Cullagh Torrens, Mr. Kinnaird, Mr. Locke.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. HARVEY LEWIS said, he would not oppose the Bill, as it would go to a Select Committee; but he reminded the House that the question of metropolitan taxation had lately been brought before them by the right hon. Member for the City (Mr. Goschen), and it was generally admitted that it had reached its limits. Yet power was taken by this Bill to levy an additional tax of 3*d*. in the pound, and the machinery of the Bill was very expensive. Of course everybody was anxious to see the dwellings of the poor improved and rendered more comfortable; but whether that object ought to be accomplished by taxing the ratepayers to carry out the works of a building society was a question for the House to decide.

Mr. POWELL concurred with the hon. Gentleman opposite in the objections he had raised to certain provisions of the Bill, and added that, in addition to the points just pointed out, it was to be noticed that the Bill, while giving powers of purchase, did not give the seller the ordinary advantages of a forced sale; that property in a ruinous or dangerous state might be held by the lessee against the wish of the owner until the expiration of the lease; and that the Bill contained a provision subversive of the ordinary law affecting rights of property which forbids perpetuities, inasmuch as it proposed to enact that no plot of land acquired under its operation should be, for all time to come, built upon except with the consent of the local authority. He expressed a hope that the whole system of local legislation and taxation would speedily be taken into consideration—the necessity of such a course having been forcibly pointed out a few days ago in the House by the right hon. Gentleman the Member for the City of London.

Motion *agreed to*.

Bill read a second time, and *committed* for *Wednesday* 1st April.

CANONGATE ANNUITY TAX BILL.

On Motion of Mr. M'Laren, Bill to abolish the Annuity Tax or Ministers Money, in the parish of Canongate within Edinburgh, and to make provision in regard to the stipend of the Ministers in the parish and city, *ordered* to be brought in by Mr. M'Laren, Mr. Dunlop, and Mr. Baxter.

Bill *presented*, and read the first time. [Bill 60].

House adjourned at a quarter after Five o'clock.

HOUSE OF LORDS,

Thursday, March 12, 1868.

MINUTES.]—Public Bills—*First Reading*—Non-Traders Bankruptcy (Ireland) * (38).

Second Reading—Tenure (Ireland) (23); Ecclesiastical Commissioners Orders in Council * (33).

Referred to Select Committee—Tenure (Ireland) (23).

Third Reading—Court of Appeal Chancery (Despatch of Business) Amendment * (20, and *passed*.

TENURE (IRELAND) BILL [h.l.]—(No. 23.)

(*The Lord Somerhill.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Marquess of CLANRICARDE said, that as this measure had on various occasions received the approbation of that House, he would have been happy, had he felt justified, in moving the second reading without addressing any observations to their Lordships; but he wished to reply to some objections which had been made to the Bill by his noble and learned Friend (Lord St. Leonards), and as the policy of the Government on the question of the relations between landlord and tenant had been declared, he feared he must refer a little to that subject. His noble and learned Friend had insisted that there was no necessity for further legislation upon the subject, and that the Act of 1860, respecting the tenure of land which now obtained in Ireland, was sufficient for its purpose. Now he (the Marquess of Clanricarde) wished to repeat what he had said not quite two years ago, that he was not the first to set about disturbing the existing state of things, and he had high authority to rely on in justification of attempting to amend the present law. The Act of 1860 was well intended. It was carried through Parliament by a right hon. Gentleman, than whom no Secretary for Ireland was ever more anxious to improve the condition of that country and its jurisprudence—he meant Mr. Cardwell. There were, indeed, two Acts of 1860—one for the improvement of the land, of which he would say nothing, because it turned out to have been of not the slightest use whatever, and had never been acted upon. But the other, to his mind, and that of others more capable of judging, contained an intrinsic vice which pervaded it all, and which had been productive of very great mischief—he meant that so far from relying entirely on written contracts, which he believed it was intended to promote, it distinctly encouraged parole and constructive agreements. Not only did it do that, but it even went the length of repealing so much of the Statute of Frauds as related to this subject—one of the greatest Acts which had ever been passed by the Parliaments of England and of Ireland—the Act in Ireland of William III., an application of the English 29 Charles II. to that country. Now, that was an error to which he would assert the attention of the Legislature ought to be directed, so as to make it necessary that all contracts should be written, and not parole or implied contracts. When he first introduced this Bill to their Lordships, he cited several cases in which the law of 1860 had not only occasioned litigation, but had sorely perplexed the Judges, and it continued to do so up to the present time. He would refer their Lordships to the Irish Common Law Reports of 1864, 1865, and 1866, for information on this head. He was complaining, not only that the law as it stood was vicious in principle, but that it was so difficult of construction that the Judges themselves entirely condemned it. In one particular case, the Judges were divided in opinion as to the construction of the law, and there was, in the first instance, a majority of three Judges to one against a particular interpretation. The case was afterwards taken to the Court of Appeal, where seven Judges unanimously decided that the decision of the three Judges in the Court below were wrong. In the case of "Chute against Busby," tried early in 1866, though the Judges differed in opinion as to the construction of the law, they one and all condemned the Act, as being obscure and bad; and the late Lord Chief Justice Lefroy closed his judgment by saying that "some of the views taken and insisted upon in the course of the argument, would upset the foundations of real property, and no new foundations were suggested in their stead." But it was not only the Judges that were of opinion that the law was most difficult of construction. All the Governments of the country since its passing were of the same opinion, and had made attempts to amend it. Their Lordships would remember that Mr. Chichester Fortescue, the Chief Secretary for Ireland under the Government of Earl Russell, had introduced a Bill on the subject, and the present Government had also brought in a Bill which did not pass. Now, these Bills were introduced by the Irish Government with the concurrence of the Cabinet, and their Lordships would recollect that in Ireland the Irish Government, as they had been lately told elsewhere, meant not merely the Lord Lieutenant and the Chief Secretary, but also the Lord Chancellor and the Attorney General, who was there a Member of the Privy Council. It might be said, therefore, that there was a succession of the highest authorities in the country in support of the necessity of amending the law, and now it had been announced on Tuesday night that the existing Government meditated no less than four Bills in connection with the subject. Another objection taken by his noble and learned Friend touched upon one of the most difficult parts of legislation — he meant the repeal of certain Acts. The Act of 1860 was in that respect most obscure and mischievous. That Act enumerated a whole quantity of Acts, and said that these Acts are hereby repealed "so far as the same refer to the relations of landlord and tenant." But that left open some very difficult points. The question arose whether various Acts touching settlements, for example, did or did not affect the relations of landlord and tenant. He admitted that the Bill, the second reading of which he was about to move, did not, in its present shape, deal satisfactorily with that question. It was a very difficult one, and it was on that account that he wished for a Select Committee, where he hoped he should have the aid of the Government and of the Government lawyers in dealing with the subject. The measure was really no longer his, as the Government had stolen most of the contents of it; for the Chief Secretary for Ireland had stated in "another place" that it was the intention of the Government to include provisions which were similar to that in his Bill in Bills of their own. They proposed to enforce and encourage written contracts, and also to secure to the tenant compensation for improvements where there was no contract; but in this Bill there were no reservations which left anything in doubt. The Government contemplated a loan to the tenant to be made only through the intervention of the Board of Works, on the approbation of a public officer. Now, he also gave facilities for loans to tenants, but he did not confine them to an advance of Government money; he wished the tenant, with the approbation of his landlord, to be allowed to borrow, on security of his farm, from anyone he could—from the Government if he could obtain better terms than from his neighbour, or from his own landlord, to be charged on the holding. An objection to the plan of the Government was that it would be spread over four separate Bills. Surely, it would be better if they were contained in one single Bill, seeing how strongly the tendency lately had been in favour of codification and simplification of the law. He, therefore, pressed the second reading of this Bill, and hoped the Government would allow it to go on with the purpose of passing it. He felt neither surprise nor regret that the Government had adopted its provisions. For years past he had felt convinced that the principles of this Bill were those which must be adopted if Parliament wanted to make an equitable arrangement between landlord and tenant. Unfortunately, however, another proposal had been made which he had heard with deep regret. He understood that, as at present advised, Her Majesty proposed to issue another Commission to inquire into the state of the relations between landlord and tenant in Ireland. Now, what could be the utility of such a Commission? There had been plenty of inquiries on that subject already. He would not go back to the Devon Commission, because you might as well go back to the time before the Union. But there had since been Committees of both Houses of Parliament; he knew of no doubts which a Royal Commission could solve; and he feared that it might have throughout Ireland the most mischievous effect of creating a belief that the Government meant to consider some of those absurd and insane projects—he did not wish to use harsh terms—which had been put forward in the course of the last few weeks. He was ready to consider measures of a wide character with regard to Ireland; but when measures were proposed which the author of them himself described as meant to be revolutionary, and as of no use unless the revolution were complete, he trusted that the Government would make such a declaration that the Commission might not be suspected of contemplating any such plan. He doubted whether Mr. Mill would propose to the House of Commons his scheme for turning out the landlords of Ireland, in order to substitute a pauper class of landlords; but it was a notion which the Government should not be supposed to entertain for a single instant. He had been told that Mr. Mill's pamphlet had been circulated far and wide throughout Ireland, and sold for 1*d*. He could well believe that there were people in Ireland who would take that step; and, if that were so, he only hoped that the people would consider a pamphlet written by a noble Friend of his who had discussed Mr. Mill's proposals. His noble Friend had explained uncommonly well the working of the present laws, and had written a most lucid and agreeable treatise; but he had wasted his talent and ability in the consideration of this particular project, which no loyal and sensible man ought to allow to enter into his serious consideration. Then, again, there was a plan of Mr. Bright to expend £5,000,000 in purchasing up the estates of absentee landlords. Was that plan to be considered seriously by the Commissioners? If not, what was to be the object of sending out a roving Commission? The state of the law was known perfectly; Committees of both Houses had taken abundant evidence upon custom; no more evidence was wanted; and therefore the only effect of sending out a roving Commission would be to excite illusory hopes. We should recollect the language which had been held by some persons on this question. A letter was published in the Irish papers, dated from Rochdale in December, 1866, in which Mr. Bright said—

> "If Ireland were 1,000 miles away from us all would be changed, or the landlords would be exterminated by the vengeance of the peasantry.'

When such language as that had been used, the object of a Commission ought to be most distinctly stated. He did not know that he could go as far as the noble Lord the Secretary of State for Ireland did, and paint so bright a picture of the satisfactory condition of the country, in all respects, as he did; but he maintained there was nothing in Ireland that required any extraordinary measures, and all that was specially needed was temporary protection for honest and loyal people. As regarded the relations between landlord and tenant, and between man and man, the country was never in a more satisfactory state. He was very sorry to hear the other night a very fervid piece of declamatory eloquence, a rhetorical speech of considerable power, which, although the speaker professed to avoid the past, was largely devoted to the past misgovernment of Ireland. But what had all that to do with the present system of governing Ireland? What were the language and conduct of a great patriot and orator referring to past misfortunes at a time when, to use the words of the noble Earl near him, the name of Henry Grattan symbolized virtue and patriotism? In the first speech Mr. Grattan made in the House of Commons, he said—

> "The past troubles of Ireland, the rebellion of 1641, and the wars which followed, I do not wholly forget; but I only remember them to deprecate the example and to renounce the animosity. The penal code which went before and followed those times I remember also, but only enough to know that the cause and reasons for that code have totally expired; and as on one side the Protestant should relinquish his animosity, on account of the rebellion, so the Catholics should relinquish their animosity on account of the laws."—[1 *Hansard*, iv. 917.]

That was the language held some sixty years ago by one of the greatest patriots, as well as one of the most able and eloquent men, that ever adorned Ireland. So far from such language being held now, old things were raked up to make excuses for attacks on the state of the country which were unfounded, and could do nothing but set man againt man. In conclusion, he moved the second reading of the Bill, which he trusted the Government would endeavour to make as perfect as possible in the Select Committee, to which he proposed it should be referred.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Clanricarde.*)

LORD ST. LEONARDS thought that the noble Marquess, in deference to the Government, and in consideration of the steps already taken by them, ought to have postponed his Bill until they had their measure before them, in order that the country might be in a position to compare the two. Nothing could be more inconvenient and irregular than the course taken by the noble Marquess, who had listened to an elaborate speech and an animated discussion in the other House of Parliament, and anticipated the measures which it was supposed would be introduced by the Government. The facts which had come out in Committee were so diametrically opposed to general opinion in regard to the relations of landlord and tenant in Ireland, that it was very desirable we should know exactly in what position these two classes stood to each other. It had been said that landlords expended no money on improvements, and that angry feelings existed between them and their tenants; but, from the evidence given before the Committee last year, it appeared that the landlords laid out more money in improvements in which tenants participated than landlords did in this country. He found that thousands and tens of thousands were laid out in substantial improvements, the money being provided by the landlords and not borrowed from the Government. According to the evidence, nothing could be better than the relations existing between landlords and tenants. It was stated that rents were paid as regularly as it was possible; and more could not be said of this country. The evidence with respect to evictions was equally satisfactory. They had only taken place when considerable arrears of rent remained unpaid and could not be recovered. This Bill of the noble Marquess proposed to do away with the law of distress; but it appeared that that was seldom resorted to, and never upon large estates. The existence of the law was a check upon bad men, who would not pay rent if they could avoid it, while the resort to it did not appear to operate harshly in the case of those who were honestly disposed. He did not view with the same alarm as the noble Marquess the issuing of a Commission of Inquiry. The Government consisted of sensible men—men of business—and not of philosophers, and were not likely to be led away by any impracticable theories. He was in favour of some Bill on this subject; but he objected to the present Bill, that it sought to accomplish what had already been accomplished. He had always been in favour of leases, and of such leases as would give fair terms to the tenants; for while he would always uphold the just rights of landlords, he felt it was prudent to give such fair terms to the tenants as would induce them to take an interest in the good condition of the land.

When in office in Ireland he found that disputes were constantly arising between the tenants and the receiver appointed by the Court. The receiver often resided in a market town, and when a tenant went there on fair or market day, he would meet the receiver and pay him a little money on account of the rent. Under such circumstances, it would often happen that no receipt was given at the time, and consequently, when the final reckoning came, there was a great difference of opinion between the parties as to the amount of rent remaining unpaid. This evil he remedied by compelling the agent in all cases to give a receipt stating the period covered by the payment, and a clause to that effect might be advantageously introduced into this Bill. The present Bill was, in his opinion, open to a good many objections; but that was no objection to a second reading, and therefore he would not oppose it. He thought the Bill ought to define what was meant by a lease. The noble Earl near him (the Earl of Kimberley) and the noble Marquess, in the conversation about the Bill a few evenings ago, considered that he had made a mistake in speaking of leases only, whereas the Bill deals also with notes in writing. He then showed that under the Bill the notes in writing were treated as leases, and leases only were the subject of the Bill. It was important to correct this mistake as the noble Marquess appeared to suppose that his Bill would have an operation which it would not have. He thought every contract between landlord and tenant ought to be in writing. The noble Lord concluded by saying, that he should not oppose the second reading of the Bill, as these were matters which might be dealt with in Committee.

Viscount LIFFORD said, that this Bill, though requiring considerable amendment, had this advantage over most of the similar Bills which had come before their Lordships—namely, that it contained nothing opposed to the ordinary laws which regulated the dealings between man and man, while it contained much to adapt and fit those equal and just laws to the peculiar circumstances and habits of the Irish people. For instance, parole agreements as to letting of land had been found to produce in Ireland an uncertainty as to the rights of both parties which had been the source of great injury sometimes to the landlord, sometimes to the tenant, generally to both, and which this Bill sought to remedy. Did the same uncertainty exist in England and Scotland it would be equally easy, and in no way opposed to our ordinary laws and habits, to remedy it in the same way. In fact, many wise men did act on the principle of this Bill in England, and put into writing their agreements with their tenants holding from year to year. But many more propositions had been put out as to these matters—some contemptible—if they were not mischievous—by raising false expectations in the Irish people; some useful—if they were not marred by clauses departing from the ordinary principles of English law and economy — such as clauses in the Bills of the late and the present Secretary for Ireland, which gave power to the tenant to make what were called improvements against the will of the landowner, and made the landowner liable to pay for those improvements notwithstanding. These were clauses, practically, of little consequence, but most erroneous in principle, and which he supposed were only little sops to democratic and anti-landlord prejudices. Every man, however, had a right to broach what opinions he pleased; but no man had a right to ask assent to conclusions founded on false premises, or for a political object to pick up hastily, and state publicly, untrue charges against any individual. Now, this was pre-eminently the case in a pamphlet lately published on the Irish land question by Mr. Stuart Mill, Member for Westminster, in which the following passage occurred, affecting deeply the character of a Member of this House. He entreated their Lordships' indulgence on this sole ground—that it made an attack upon the Marquess of Conyngham — he might name his noble Friend, as he was not present — in such a manner that he could not wonder it called forth the noble Lord's instant and indignant contradiction; and his Lordship had now empowered him to give a more full and complete answer. Mr. Mill said—

> "It is usual to impute the worst abuse of Irish landlordism to middlemen. Middlemen are rapidly dying out, but there was lately a middleman in the county of Clare under whose landlordship Irish peasants, by their labour and scanty means, reclaimed a considerable tract on the sea coast, and founded thereon, the flourishing watering-place of Kilkee. The middleman died; his lease fell in, and the tenants fancied that they should now be still better off. But the head landlord, the Marquess of Conyngham, at once put on rents equal to the full value of the improvements (in some instances an increase of 700 per cent); and, not content with this, pulled down a considerable

portion of the town, reduced its population from 1,879 to 950, and drove out the remainder to wander about Ireland, or to England and America, and swell the ranks of the bitter enemies of Great Britain. Did the interest any more than the good feelings of this landlord prevent him from destroying this remarkable creation of industry, and giving its creators cause to bitterly repent they ever made it? What might not be hoped from a people who had the energy and enterprize to create a flourishing town under liability to be robbed? and to what sympathy or consideration are those entitled who avail themselves of a bad law to perpetrate what is morally robbery?"

Now, what were the facts of this case? The Marquess of Conyngham as a landlord stood as high as any man in the United Kingdom. Though possessing large property in England, he was not an Irish absentee; but resided for a great portion of the year on his property in Meath, where he gave a great deal of employment. In the county Donegal, where he (Viscount Lifford) resided, he was represented, and worthily represented, by his younger son, who devoted himself to everything that was useful, and was more than ordinarily beloved. In the county of Clare, the Marquess of Conyngham had no residence; and therefore, acting in accordance with the views of Mr. Mill, Mr. Bright, *et hoc genus omne*, he proposed to sell that estate. He sold a portion of this very village of Kilkee, where his rents were stated by Mr. Mill to have been so exorbitant, and it was stated that the new purchaser had raised the rents about 50 per cent. However, the sale was stopped when five lots had been sold, and how did their Lordships suppose? By a deputation from the tenants of this exorbitant landlord, imploring him not to transfer his estate and his tenants to anyone else. He would beg their Lordships to mark the simple wording of this appeal—

"To the most noble the Marquess of Conyngham.—May it please your Lordship,—The undersigned humble men, tenants of yours, have travelled far from their homes, in your estate, on the verge of the sea, at Kilkee, to ask you a favour, and entreat you to listen to their appeal. They have never taken part in any of the controversies, and never concurred in any proceeding, which they supposed would be displeasing to you. They beseech your Lordship not to transfer nor to dispose of to anyone whatever your own control over the estate on which they are occupiers, nor to make any change in the agency and the conditions under which they have the advantage of the benevolent exercise of your immediate authority. They wish to die as they have lived, under your jurisdiction, and that those whom they love and who will live after them may hold, as they did, directly and wholly from your house and hands. They beg of your Lordship not to part at all the divisions of the estate remaining unsold, and they take leave to represent to you that, as they are informed, the whole may still be restored to its previous tenure, the resident purchasers of the one division being willing to forego the title they have acquired on terms that may be deemed equitable and acceptable by your Lordship. The undersigned further venture to express the earnest hope that your Lordship may gratify the people of Kilkee by your own presence among them when your convenience will warrant, and afford them the opportunity of manifesting their anxiety to prove their respect, and testify to you that no welcome, whether offered in Donegal or elsewhere, could surpass that which will await the most noble the Marquess of Conyngham among the people of Kilkee. Imploring your Lordship to enable us to return with glad tidings to our homes and friends, to our children and relatives—tidings to cheer and bless all in the Holy Season now arriving—and, throwing ourselves altogether upon your high and humane consideration, we have the honour to be, your Lordship's humble and grateful servants."

What was the answer to this memorial? He would give it in the terms of a private letter addressed by the Marquess of Conyngham to himself—

"I had nine lots in the Incumbered Estates Court. Five were sold, and the remaining four were withdrawn and offered for private sale. In the meanwhile all the tenants of the four unsold lots sent in the most urgent memorials, imploring me not to sell, and to let them live under me as their landlord. A deputation from them also came up to me, and I really felt so touched by their appeals to me, that, perhaps unwisely, I withdrew the notice for the sale of these lots."

But he would say a word about the history of this lease. According to the information furnished to him by the Marquess of Conyngham's agent, it was granted to one man in 1785 and expired in 1860, having lasted seventy-five years. It contained strict covenants against subletting, and therefore the middleman, and the middleman alone, was responsible for the persons whom in defiance of the terms of the lease he had placed upon the land. Notwithstanding the covenants, the Marquess of Conyngham, anxious to promote the prosperity of Kilkee, from time to time made various proposals to the middleman to join in granting long building leases, all which propositions were declined. The consequence was that from 1840 none but houses of a poor description were built upon the Marquess of Conyngham's land. Houses of a better class were built upon the land of other proprietors, including the freehold property of the middleman, and houses of a better sort built previously on the Marquess of Conyngham's property fell into the hands of a low class of occupants, one being occupied by eight pauper families and their pigs. Kilkee, however, had during the seventy-five years of the lease grown into a town, and though the houses on the Marquess of Conyngham's estate were very inferior to those of other proprietors, yet it had greatly increased in value. Well, the lease fell, and the Marquess of Conyngham raised his rents, and tried to improve his property. Now, how did proprietors in England, Scotland, and France act when an old lease fell in? Did the owners of Grosvenor and Portman Squares scorn an increase of rent when leases fell in? Were they called robbers if they required it? Again, when streets for public benefit and private profit were run through those "remarkable creations of industry" St. Giles's and the slums of Westminster, were there no evictions of pauper families? Of course there were, and it was necessary for the public welfare that there should be. But how did this landlord who was so much denounced—this robber, this exterminator, this avaricious nobleman—how did he behave when the lease fell in? He raised the rents so little that the man who purchased the five lots which were sold in the Incumbered Estates Court immediately increased them 50 per cent. The Marquess of Conyngham ejected about 100 pauper families. He appeared to evict more than he intended, because his terms were so liberal that many persons, heads of families, applied to be evicted, in order that they might have the advantage of them. He spent upon these people £2,500. More than that—from the time of the falling in of the lease in 1860, to November, 1867, the Marquess of Conyngham received from the Kilkee estate £9,000 or thereabouts, and spent in works, in charities, and in compensation given to the people who were evicted, £9,500, or £500 more than he received from it. Now, he was sure that Mr. Stuart Mill was incapable of stating anything but what he believed to be true. In fact, there was this much truth at the bottom, that a lease of seventy-five years fell, that rents were raised in due course, and that houses which greatly injured the property were removed; but the colouring turned fact into falsehood — falsehood which would have been unworthy of the Marquess of Conyngham's notice in the mouth of a professional agitator, but which was serious when endorsed by one till lately the calm philosopher, the deep thinker, on whose words and opinions we all have pondered, however much we might sometimes disagree with his conclusions. Assertions such as these as to matters before one's eyes were easily refuted, and did comparatively little harm; but false colourings of the vague, uncertain, and most melancholy history of Ireland were most mischievous, and were, indeed, one of the sources from which the present unhappy state of that country sprang. Now, nothing was more perverted than the social history of Ireland. Nothing could be more deplorable than the condition of the Irish peasant under his native chiefs. He was totally without property, totally at their mercy. In the reign of Edward III. a petition was addressed by the Irish people to the King, imploring that they might be placed under the English law; but that prayer was refused in consequence of the machinations of the Irish chieftains and the English settlers who had adopted their habits. Sir John Davis, who was Attorney General in the reign of James I., and he believed also of Elizabeth, said—

> "The English Lords finding the exactions to be more profitable than English rents and services, and loving the Irish tyranny, did reject and cast off English laws and Government, and the English Lords and the Irish Lords in the reign of Edward III. joined to prevent the people to be placed under English law."

Sir John Davis, who was admitted to be a high authority, and was nearly a contemporary of the times of which he wrote, stated, that under the system of chieftainship in Ireland the people were so oppressed that—

> "The weaker never had any remedy against the stronger, whereby it came to pass that no man could enjoy his life, his wife, his land, or his goods in safety if a mightier man than himself had an appetite for and a desire to take them from him.
>
> "Those 'chiefries,' though they had a certain portion of land allotted to them, consisted principally of exactions whereby they despoiled and impoverished the people at their pleasure."

Though Sir John Davis made the great mistake of supposing that the lowest class of the Irish people were incapable of civilization, yet his views and feelings were eminently popular. His grand object seemed to have been the introduction of laws which would protect the people from what he called "Irish tyranny." The rule of their chiefs, one of the principal sources of this tyranny, was thus described by Sir John Davis—

> "This extortion of coigne and livery did produce two notorious effects; first, it made the land waste, next it made the people idle. For when

> the husbandman had laboured all the year, the soldiers in one night did consume the fruits of all his labour. . . . But their Irish exactions extorted by the chieftains and tanists by colour of their barbarous seignory were almost as grievous a burden as the others—namely, cosherings, sessing of the kerne of his family, called kernety, of his horses and horse boys, of his dogges and dogge boys, and the like; and lastly, cuttings, tallages, or spendings, high and low, at his pleasure; all which made the lord an absolute tyrant, and the tenant a very slave and villein; and in one respect more miserable than bond slaves, for commonly the bond slave is fed by his lord, but here the lord was fed by his bond slave."

Now, how did that statement of Sir John Davis agree with that of Mr. Stuart Mill, who professed to describe the condition of the Irish under the chiefs? Mr. Stuart Mill said—

> "Before the Conquest the Irish people knew nothing of absolute property in land; the land virtually belonged to the entire sept. The chief was little more than the managing member of the association."

Managing member of the association! Would not anyone think that this was a mild co-operative society, of which the gentle and kindly head gave to all their due? Who would believe that this "association" was of the nature described in the terms which he had read to the House by one who was so nearly a contemporary that he might be almost called an eye-witness? It was by such false colouring that the Irish people were deluded into conceiving that they had rights which never existed, and were rendered insensible to the value of the equal laws under which they now lived. But there was something still more mischievous than deluding the Irish people by private calumny and by false history, and that consisted in dangling before their eyes false hopes of social changes, contrary to the common principles of justice and of social economy, and opposed to the first principles of English law. Ever since the year 1829 this injury had been done to Ireland by both the great political parties. He entirely concurred with his noble Friend in thinking it most unfortunate that a Commission should be issued just at this time. He entreated the Government to pause before they finally adopted that course, and concluded by expressing his opinion that the only proper way of dealing with Ireland was to look to what was right and just, irrespective of party objects. He trusted the House would examine, amend, and finally pass the Bill of the noble Marquess.

THE EARL OF MALMESBURY said, his noble Friend (Viscount Lifford), in his most clear and complete defence of the character of the Marquess of Conyngham from the accusations falsely brought against it, had given the best answer to his own objections to the issuing of the Commission which it was the intention of Her Majesty's Government to send to Ireland. Nothing could place in a better light before their Lordships the exaggerations which were so freely indulged in upon this subject than the calumnies which had been poured upon the Irish landlord whom his noble Friend undertook to defend. It was to get rid of these exaggerations, to discover where the truth lay, and to give the landlords that fair play which, he believed, had never yet been extended to them, that this Commission was about to be appointed. The noble Marquess (the Marquess of Clanricarde) seemed to think there was some danger that a "roving Commission," as he called it, would raise a flame all over Ireland, that it would excite false hopes, and cause the Irish to believe that the English Government had some sinister plans for altering the rights and laws of property. Why, the intention of the Government in issuing that Commission was exactly the reverse. And he did not believe there was the slightest danger that the Commission would entertain the visionary schemes of Mr. Bright or Mr. Mill. Allegations affecting the Irish landlords had been made over and over again in the public press, by Irish Members of Parliament, and by writers of various descriptions. But the Irish landlords, he repeated, had never yet been properly heard. Before the Commission of 1846—Lord Devon's Commission, as it was called—they were not heard; and that, to some extent, was their own fault, for they had a jealousy of giving evidence on that occasion. He was sorry to perceive on the part of the noble Marquess something like an indication that this old jealousy of giving evidence might show itself again in 1868. The Government, on the contrary, believed that the inquiry would turn out to the credit of the landlords. The noble Marquess, trusting to guesswork rather than to ascertained and positive data, had assumed that the Government were going to bring in four Bills, containing certain clauses and principles, some of which by anticipation he condemned, while others he approved. And he further accused the Government of acting unfairly towards him, by, as he called it, stealing his measures. But how, he would ask, was it possible to produce something altogether novel and original upon this old and well-worn subject? In dealing with the question of land tenure in Ireland it was difficult to impart novelty to such topics as the importance of covenants and of securing a fair compensation to the tenant. If a Land Tenure Bill were introduced into the other House of Parliament, and then brought before their Lordships, its provisions would come on in the ordinary manner for discussion. He, however, deprecated a discussion on measures which were in embryo, and reminded their Lordships that it was quite contrary to their rules and opposed to their practice to discuss a Bill before it had been even printed. Still less was the noble Marquess justified in commenting upon the speech delivered by the Chief Secretary on Tuesday night in the House of Commons, or on that of the Irish Member who introduced the debate. Yet the noble Marquess proceeded to do so at the moment when the debate in the other House was proceeding. The noble Marquess was completely mistaken in supposing that the Government were opposed to the renewal of the inquiry commenced last year at his own instance; on the contrary, they believed that the facts elicited by the Select Committee would greatly facilitate legislation. He could not admit that it would be desirable to alter the constitution of that Committee, inasmuch as any Peer appointed now for the first time would not have in his mind the evidence given last year, and, consequently, would feel himself at a disadvantage. His noble Friend, Lord Devon, was already upon the Committee, and the noble Marquess had not given any reason for the suggested addition of any further Members of the Government. After what had been so recently said upon this subject by another Member of the Government, he did not think it would be desirable to discuss this matter at any greater length at present. Her Majesty's Government had supported the noble Marquess in the original appointment, and now in the re-appointment, of this Committee; and he could assure the noble Marquess that they looked forward to the results of its inquiries with an interest not inferior to his own.

The Marquess of CLANRICARDE reminded their Lordships that he had on two occasions been appealed to by the Government to await the announcement of the Ministerial measures, and had complied with the request. He had guarded himself carefully against any breach of order in his allusions to the measures which the Government were supposed to have in contemplation. But it would have been absurd, after what had appeared in all the newspapers, to ignore in that House what was commonly called "the programme of Government measures." The noble Earl, in fact, had gone much more into detail than he had done, for he had volunteered the information to their Lordships that the Irish Land Bill was not even drawn yet.

The Earl of MALMESBURY: I did not say it was not drawn. I said it was not yet printed.

The Marquess of CLANRICARDE: Well, at all events, it was in a very early stage. His reason for supposing that there were to be four Bills, was because in the printed report of what Lord Mayo said, the words used were, "I think they had better be separate measures." He ventured to predict that, whether all or any of these Bills were printed yet, if the Government introduced four Irish measures in the present Session, they certainly would not be able to carry them. He thought he had been fully justified by the usage of their Lordships in referring to what occurred two nights ago in the other House, and it was his decided opinion that the intentions of the Government on this subject should be embodied in a single measure, instead of being split up into four Bills.

The Earl of MALMESBURY thought that it was not quite fair to assume that the four Bills referred to would be passed this Session; but it was still more irregular to proceed to comment upon what the noble Marquess assumed would be their provisions.

The Earl of LEITRIM deprecated the course to be adopted towards Ireland by both political parties, and attributed its present condition to the extraordinary—he might almost say revolutionary—measures which had been passed during the last twenty years.

Motion *agreed to*: Bill read 2^a accordingly, and *referred* to a Select Committee; The Committee to be named *To-morrow*.

NON-TRADERS BANKRUPTCY (IRELAND) BILL [H.L.]

A Bill to extend to Non-Traders the Operation of the Law of Bankruptcy in Ireland—Was *presented* by The Lord SOMERHILL; read 1^a. (No. 38.)

House adjourned at Seven o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 12, 1868.

MINUTES.]—New Writ Issued—*For* Huddersfield, *v.* Lieutenant Colonel Thomas Pearson Crosland, *deceased.*

Public Bills—*Ordered*—Renewable Leasehold Conversion (Ireland) Act Extension.*

First Reading—Renewable Leasehold Conversion (Ireland) Act Extension * [61].

Second Reading—Fairs (Ireland) * [48].

BABY FARMING IN THE METROPOLIS. QUESTION.

Mr. VANDERBYL said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the statements in the *British Medical Journal* concerning the criminal practices connected with the system of "Baby-farming" in the Metropolis; and whether he intends to put the Law in motion to suppress such practices; and, whether he would lay upon the table all Letters and Documents relating to Infanticide and Illegitimate Children received at Home Office during the years 1866 and 1867?

Mr. GATHORNE HARDY said, in reply, that his attention had not been called to the *British Medical Journal* until that morning, when the passage to which he supposed the hon. Member referred was sent to him; and certainly if such a state of things as was there described really existed, it was a great disgrace to any community. At the same time, there were certain things there stated which were offences against the present law, and he did not know that it was the duty of the Home Secretary to put the law into operation. It was a matter for the police, and the police had had their attention called to it. But, as the hon. Gentleman must be aware, from the statement of the journal in question, it was almost impossible to obtain conclusive evidence in regard to transactions of the nature referred to.

JURIES "DE MEDIETATE LINGUÆ." QUESTION.

Mr. GREGORY said, he wished to ask Mr. Attorney General, Whether it is the intention of Her Majesty's Government to propose to abolish the privilege accorded to aliens indicted or impeached, of being tried by a jury *de medietate linguæ?*

The ATTORNEY GENERAL replied, that it was not the intention of Her Majesty's Government at present to deal with this question, or to abolish the privilege referred to. He might state, however, that the subject was within the scope of the Judicature Commission now sitting, and it would probably be included in their Report.

POOR LAW VAGRANCY.—QUESTION.

Mr. WALDEGRAVE-LESLIE said, he would beg to ask the Secretary of State for the Home Department, Whether the Government propose to bring forward any measure for the purpose of giving greater power to Magistrates or Poor Law Guardians in dealing with those Vagrants who are habitual Tramps, so as to check the growing increase of Vagrancy?

Mr. GATHORNE HARDY, in reply, said, the subject was one in which he took a great interest, although it was rather more closely connected with another Department than with his own. It was certainly advisable that habitual vagrants should be kept apart from the ordinary poor; but there had at present been found much difficulty in effecting this. At present no measure was in contemplation on the subject; but he was in communication with the noble Lord the President of the Poor Law Board with regard to it.

PARLIAMENT—STATUE TO OLIVER CROMWELL.—QUESTION.

Mr. CANDLISH said, he wished to ask the First Commissioner of Works, If there will be any objection on the part of the Government to place a statue of Oliver Cromwell in Westminster Hall, between the statues of Charles I. and Charles II.?

Lord JOHN MANNERS said, in reply, that in the year 1863 the final Report of the Fine Arts Commission was presented to Parliament. That Report recommended that statues of British Sovereigns—of the Royal Houses of Stuart and Brunswick—should be executed, and placed in the Royal Gallery. The Government of the day made a proposal to that effect to Parliament, and Parliament assented to it. Since then eight, he believed, of those statues had been either completed or were now in progress, and as they were completed they were placed in the Royal Gallery; but when placed, it was apparent that neither in size nor character were they suited to that apartment. Two years ago it was suggested by the architect of the Palace that the experiment should be tried of placing some of them in Westminster Hall, and last year the House voted a sum with a view to such an experiment. Without going into the historical researches pointed at in the Notice given of another Question on that subject by the hon. Baronet (Sir Henry Winston-Barron), who proposed to ask whether he (Lord John Manners) had read a work called *The Cromwellian Settlement of Ireland*, he could say that it was not his intention to propose to the House a Vote for the erection of a statue of Oliver Cromwell in the series of Sovereigns of the Royal Houses of Stuart and Brunswick.

Mr. CANDLISH said, he would put his Question in another form. In the event of the public or of private persons executing a statue of Oliver Cromwell, would the Government allow it to be placed in Westminster Hall?

Lord JOHN MANNERS said, that if the hon. Gentleman would give him notice of the Question he wished to put, he (Lord John Manners) would be happy to answer it on a future occasion.

IRELAND — REVISION OF THE IRISH ORDNANCE MAP.—QUESTION.

Mr. STACPOOLE said, he wished to ask the Vice President of the Board of Trade, Whether it be the fact that, in the course of his inquiries into the claims of landed proprietors to wreck of the sea in the county of Kerry, Mr. O'Dowd, acting on behalf of the Board of Trade, made a Report to that Board to the effect that the Ordnance Map of Ireland does not correctly show the boundary line seaward between the estates of Lord Ventry and Robert Conway Hickson, Esq.; and whether, in case he has so reported, his Report has been supported by any and what judicial authority; and, in that event, whether the attention of the Government has been called to the matter with a view to a supplemental revision and correction of the Irish Ordnance Map?

Mr. STEPHEN CAVE said, in reply, that Mr. O'Dowd reported to the Board of Trade that this boundary line between the two estates was incorrect by forty perches, and his decision was confirmed by Master Fitzgibbon, to whom the question had been referred by agreement, after a very large body of evidence had been taken. This threw no discredit on the accuracy of the measurements of the surveyors, the delineation of the boundary having been dependent on information conveyed to them on the spot. An Ordnance Map could not, of course, be accepted as unimpeachable evidence of boundary in cases where no fence or visible line existed. The Report had been sent to the local Receiver of Wreck, with a view to the erection of a visible mark, which would prevent mistakes in future, and when that had been done it would be notified to the Ordnance Survey Department.

IRELAND—ROYAL IRISH ACADEMY.
QUESTION.

Mr. GREGORY said, he wished to ask the Chief Secretary for Ireland, Whether his attention has been called to the recent operations of the Irish Board of Works at the Royal Irish Academy; and, if it be true that the new heating apparatus put into the Academy by the same Board of Works is so dangerous and defective that the two Insurance Offices in which the structure was previously insured have refused to continue the insurance as before?

The Earl of MAYO, in reply, said, the Irish Government was not responsible for the proceedings of the Irish Board of Works, which was under the control of the Treasury; however, he had made inquiry as to the matter in question. The heating apparatus referred to was not a new one, but its position had been altered. The Insurance Companies had objected to the mode of supplying the water, and it was about to be remedied. He believed that the attention of his right hon. Friend the Chancellor of the Exchequer had been called to the mode in which their works have been completed, and that a careful inquiry would be made.

IRELAND—LEASEHOLD PROPERTY.
QUESTION.

Mr. GREGORY said, he wished also to ask the Chief Secretary for Ireland, If he will order to be prepared as far as possible, together with the Agricultural Statistics of Ireland, a Return of the number and terms of years of Leases in Ireland, distinguishing Agricultural from Building Leases, and arranging the Agricultural Leases under the same heads as Agricultural Holdings?

The Earl of MAYO: This is a Question, Sir, which relates to a matter of considerable importance—that is, whether accurate information can be obtained in Ireland as to the quantity of land which is held under lease in that country. My attention was called to this matter by a resolution passed last October at a meeting of the Cork Farmers' Club, to the effect that it would be very desirable some information should be obtained on the subject. I have made several communications to the Registrar General and other persons, and I find that there will be very great difficulty in procuring the information asked for. I am afraid that the machinery by which agricultural statistics in Ireland are obtained would not be available, and I can easily understand that individual tenants would have an objection to state to official persons the precise tenure by which they hold their land. I will, however, make further inquiries, and if the information can be obtained without interfering with existing machinery, or endangering the collection of agricultural statistics, it shall be furnished.

ARMY—CAVALRY ENLISTMENT.

QUESTION.

MR. BAGWELL said, he would beg to ask the Secretary of State for War, If any provision has been or will be made for the unlimited service men of Cavalry Regiments or for limited service men who re-engaged prior to the Re-engagement Act (1867), whether they will still have to complete twenty-four years of service, or will they receive the benefit of the Re-engagement Act (1867), and become entitled to pension and discharge at the expiration of twenty-one years' service?

SIR JOHN PAKINGTON said, that the concession would cost £90,000, and the military administration was already so expensive that he was obliged to decline making any further addition to it.

POOR LAW—BETHNAL GREEN WORKHOUSE.—QUESTION.

MR. SHERRIFF said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been directed to an inquiry before the Coroner for Middlesex on the 5th instant, by which it appears that a man, apparently a mechanic, had been taken out of the Regent's Canal by the lock keeper and, whilst the body was still warm, had been carried to the Bethnal Green Workhouse and refused admission by the officers of that establishment on the ground that the body was not accompanied by a policeman, a whole hour having been occupied in procuring the authority necessary to satisfy them; that the Coroner, after hearing the evidence and the explanation given by the workhouse authorities, gave his opinion

> "That it was possible the poor man's life might have been saved if he had been at once admitted into the workhouse and attended to, and that the way he had been treated was cruel,"

and that the finding of the jury was accompanied by the following remark:—

> "That the said jurors consider the refusal at the Bethnal Green Workhouse to receive the body while still warm was inhuman."

MR. GATHORNE HARDY said, he had made inquiries, but could not find at the Home Office any information about an inquest at which a jury had attributed the death of a man taken out of the Regent's Canal, to the refusal of the authorities at this workhouse to admit him. Probably the matter had been represented to the Poor Law Board.

MR. SCLATER-BOOTH said, that the attention of the Poor Law Board had been directed to the case of the recent alleged refusal to receive into the workhouse the body of a mechanic, and Mr. Corbett, one of the metropolitan Poor Law Inspectors, had attended at Bethnal Green Workhouse, and made minute inquiries into all the circumstances of the case. The information thus collected differed in some important particulars from the account published in the newspapers. For instance, it was denied that the body when taken into the workhouse was warm, though it was so when taken out of the water; and it was also denied, on the part of the workhouse authorities, that there was any refusal to receive the body. The principal officers were absent at the time, and the person in charge was the superintendent of labour, and it was a question now before the Poor Law Board whether that person was liable to censure or punishment for the course he had taken. The matter was still under consideration, and careful attention would be paid to it.

METROPOLIS—BURLINGTON HOUSE.

QUESTION.

MR. LAYARD said, he wished to ask the First Commissioner of Works, Whether the works to be undertaken on the Piccadilly side of the Burlington House site have been stopped on account of an alleged interference with the lights of the Albany; and whether, if this be the case, the Royal Academy will be able to complete the building which they have commenced, so as to hold their annual Exhibition in it next year?

Lord JOHN MANNERS, in reply, said, it was true that the works to be undertaken on the Piccadilly side of Burlington House had been stopped on account of an alleged interference with the lights of the Albany. He hoped, however, that before long the negotiations which had been commenced with the view of meeting those difficulties would be completed; but he could not undertake to say that Burlington House would be ready for the exhibition of the Royal Academy in May 1869.

SPAIN—THE "TORNADO."—QUESTION.

Mr. Alderman LUSK said, he would beg to ask the Secretary of State for Foreign Affairs, Whether, having regard to the statements laid on the table of the House, showing that the *Tornado* was regularly cleared by the Customs at the Port of Leith, and was seized on the high seas by the Spanish authorities, and that Captain Collier, commander, thereby lost all his private papers and effects, and has been kept in suspense and anxiety for eighteen months, half of that time a prisoner in Spain, "and is absolutely ruined and now almost destitute," through the action of the Government of that country, he intends to move in any way to obtain redress for a British subject who has been thus dealt with by a Foreign Power; and, if any and what steps are being taken for the liberation of John M'Pherson, one of the crew of the said vessel, who is still a captive in Spain and detained there without apparent hope of relief?

Lord STANLEY said, in reply, that if the hon. Member would refer to the Papers which had been laid before Parliament within the last few days, he would find a full account of all the steps which had been taken by Her Majesty's Government in the case of the *Tornado*. They had pressed on the Spanish Government the necessity of a speedy settlement, and the answer of that Government would be found at page 25 of the blue book. As to whether Captain Collier was entitled to redress would depend on the result of the proceedings. M'Pherson's release had been asked for on the ground of his long detention; but there had not been as yet time to receive an answer.

IRELAND—PROPOSED ROMAN CATHOLIC UNIVERSITY.—QUESTION.

Mr. FAWCETT said, he wished to ask the Chief Secretary for Ireland, Whether he will promise that the Government will not advise Her Majesty to grant a charter to the proposed Catholic University in Ireland until Parliament has had an opportunity of expressing its approval or disapproval of the scheme, by either granting or refusing the public money which it is stated the establishment of such an University will require?

The Earl of MAYO replied, that the desire of the Government was to act in concert with Parliament in this question, and they would take care before any final steps were taken in the matter to give the House by some means the opportunity of expressing an opinion on the subject. He would avail himself of this opportunity to correct an erroneous impression which appeared to have been formed in respect to the statement he made the other night. It seemed generally supposed that he said that the institution the Government proposed to found in Dublin did not resemble any institution in the United Kingdom. What he had said was exactly the reverse. It was that the charter proposed did resemble, to a certain extent, the charters given to similar institutions in the United Kingdom; but the institution they proposed bore no resemblance whatever to the Roman Catholic University now existing in Dublin.

ARMY—REPORT OF ORDNANCE SELECT COMMITTEE.—QUESTION.

Mr. HANBURY-TRACY said, he would beg to ask the Secretary of State for War, If he has any objection to lay upon the table of the House the Report of "Ordnance Select Committee" upon Coiled wrought-iron inner tubes for Ordnance?

Sir JOHN PAKINGTON said, in reply, that he had no objection to lay upon the table of the House the Report asked for by the hon. Member.

ARMY—THE "GIBRALTAR SHIELD." QUESTION.

Mr. O'BEIRNE said, he would beg to ask the Secretary of State for War, When the Report upon the Experiments to test the Gibraltar Shield will be laid upon the table?

SIR JOHN PAKINGTON, in reply, said, the Report of the experiments upon the Gibraltar Shield had been delayed by the lithographing of the illustrations; but he hoped to lay it on the table in a few days.

THE IRISH CHURCH COMMISSIONERS. QUESTION.

MR. M'CULLAGH TORRENS said, he rose to ask the hon. Member for Hereford, If he can inform the House what progress, if any, has been made in the inquiries directed to be instituted by the Irish Church Commissioners, whether any Chairman has been appointed by them, and how soon they are likely to be prepared to present their Report? He likewise wished to remark that, in the course of last Session, it was announced by the Government that a Commission would be issued to inquire into the state of the Irish Church. If he was rightly informed, that Commission was not issued until three months after that announcement, and did not come into existence until the 30th of October, 1867. There were two Members of that House on that Commission, and he naturally addressed himself to the hon. Member for Hereford (Mr. Clive); and he therefore wished to know what progress the Commission had made—how often the Commissioners had met for the discharge of business—and such other particulars as his hon. Friend could supply?

MR. CLIVE replied, that the Commission was issued on the 30th of October last year, and the Commissioners were appointed on the 2nd of November. On the 6th of November the first meeting was held in Dublin, and another meeting was held on the 6th of December in London. At these two meetings sub-Committees were appointed, and queries were circulated, to which a great many replies had been received, and others were arriving every day. Another meeting was appointed for Monday next. At the meeting on the 6th of December no Chairman was appointed, but Earl Stanhope was named for that office, and though he did not at the time accede to the request to take the chair, he (Mr. Clive) believed the noble Earl had since accepted the office. The Report might be expected in the course of two or three months. He was not aware that there was any further information he could give.

SPAIN AND CHILE.—QUESTION.

MR. WEGUELIN said, he would beg to ask the Secretary of State for Foreign Affairs, Whether a Convention has been concluded between the British Government and the Ministers of Spain and of Chile, in virtue of which vessels of war built and equipped in this country will be permitted to sail from the ports of the United Kingdom; whether the Minister of the Republic of Peru, which is at war with Spain, has protested against this arrangement; and whether, notwithstanding this protest, licenses have been issued to permit the sailing of certain vessels of war now lying ready for sea in British Ports; and, whether the Government will lay the Convention, if it exist, upon the table of the House, or declare the reasons why it has departed in this instance from the rules of neutrality hitherto observed towards belligerents?

LORD STANLEY: Sir, no such Convention has been concluded as that referred to in the Question of the hon. Member. What has taken place is this. For several years, as the House is well aware, Spain has been at war with Chile and Peru, those two States acting together in close alliance. But for a long time past—I think for the last two years—no act of hostility has been committed on either side; in fact the war appears to have *de facto* ceased, although no terms have been come to, and therefore peace has not been proclaimed. Under these circumstances, the Spanish and Chilean Ministers made a joint application to the Foreign Office that their Governments might be allowed to remove certain vessels of war on each side, which, according to the general law, had been detained in English ports since the war broke out. I regarded this request as practically equivalent to a cessation of hostilities; and after reference to the Law Officers of the Crown, who saw no objection to the course we proposed to pursue, licenses were issued for those vessels to be removed upon certain conditions, one of those conditions being that they should be bound to proceed direct to the port to which they belonged, neither attacking nor being attacked on the voyage. We certainly understood from both parties that the Peruvian Government, which, as I have stated, has throughout this war made common cause with Chile, was a consenting party to this arrangement. No objection was taken on the part of the

Peruvian Government till after the licenses had been issued. Afterwards I received, much to my surprise, a protest from the Peruvian Minister, to which, unfortunately, the only answer I could give was, that if he had intended to object to the transaction he ought to have made his application at an earlier period. I looked upon the request as, in fact, indicating the termination of the war. But even on the utterly improbable assumption that war might break out again, no injury will have been done to either party, seeing that the vessels released to each will balance or neutralize one another. I do not admit, therefore, that there has been any departure from the rules of neutrality, which it has been our wish and object to enforce throughout.

STATE OF IRELAND.

MOTION FOR A COMMITTEE.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [10th March],

> "That this House will immediately resolve itself into a Committee, with the view of taking into consideration the condition and circumstances of Ireland,"—(*Mr. Maguire,*)

And which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "before the consideration by this House of constitutional changes in the laws and institutions of Ireland, it is both just and expedient to inquire into the causes of alleged discontent, and the best mode of remedying the same,"—(*Sir Frederick Heygate,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. HORSMAN said: Sir, it is, no doubt, a relief and satisfaction to the House to have been at last made acquainted with the Irish policy of the Government; but I am sorry I cannot congratulate the House on the brilliancy of the prospect set before it. The noble Lord (the Earl of Mayo) had to explain to us the principles and policy of the Cabinet on the three great questions of the day—the Church, the land, and education; and he did explain them most clearly and most candidly. On the Church, their policy is a policy of inaction; on the land, it is still to be the subject of a solemn inquiry—that is, it is a policy of procrastination; on education, it is a policy of retrogression. But, in case the House should be disappointed with the meagre diet set before us, the noble Lord has some comfort for us. Although the Government are doing very little, they are inquiring a great deal. They began by issuing a Royal Commission of Inquiry on Irish Railways; they follow that by a Commission of Inquiry into the Church; that, again, by a Commission of Inquiry into Education; and now, again, the noble Lord tells us that he has another agreeable surprise in store for us, which is a Royal Commission of Inquiry into the Land. In fact, the whole of Ireland is put under Commission: and—as a friend of the Government remarked to me the other night on leaving the House—if the Government were to go one step further and put themselves in Commission, and adjourn Parliament until the whole of these Commissions had reported, the prospects of legislation would not be much worse than they are at present, and the time of hon. Members would be more agreeably and not less profitably employed. Such is the policy of the Government. Four Commissions of Inquiry, and legislation to follow on their Report. There is, to be sure, a Reform Bill, as to which the Government have shown very great reluctance to let the House see it. There is to be a re-introduction of the Landlord and Tenant Bill of last year. But that exhausts all the remedial measures of the Government. Such are the measures by which they are to meet the religious, the political, and the social difficulties of Ireland. Do they constitute a policy? You may, if you please, by a figure of speech and a stretch of courtesy, dignify them with the title of a policy; but can the most microscopic eye detect the smallest semblance of principle? There are three questions—and three only—on which all men's minds have been intent, to which the speech of the hon. Member for Cork was devoted, and as to which we wished or cared for any explanation from the Government. Upon the first of these—the Church—they do nothing; on the second—the land—they do next to nothing; and on the third question—education—I wish I could say they did nothing—I wish I could say they did little—they undo what the wisdom of Parliament has been doing for the last thirty years. This part of the noble Lord's speech is pregnant with very serious matter. No one will have gathered from the speech of the noble

Lord either the character or the extent of the change involved in the grant of a charter to the Catholic University. It is a proceeding eminently characteristic of a Government with a policy based on no principle. I can imagine a discussion of the Cabinet, or of a Committee of the Cabinet, on this point. I can imagine their saying, "We must do something this Session to conciliate the Irish Members. We must have something positive and immediate. They won't be altogether put off with prophecies. We must give them an instalment of something real. But how to begin? We cannot begin with the Church; our party won't stand that. They will stand a great deal, but they won't stand that—at least, not yet. We cannot deal with the land question, our Irish supporters are too strong and too impracticable; we cannot openly subvert the system of national education—Parliament is too well-informed and too vigilant; but the grant of a charter to a Roman Catholic University: no one knows much about that; the subject has not been debated in Parliament; it has not been discussed by the press; and only Roman Catholic Members and their Bishops know what it really means; and therefore, by granting such a charter, we may at the minimum of risk secure the maximum of support from the Irish Members." But why has not this question of granting a charter to a Roman Catholic University been discussed in Parliament? It is because every previous Minister has set his face so promptly and resolutely against it that it never took the form of a practical proposal. Every Government for the last fifteen years has been sounded upon the point, and not one has dared to entertain it. Even the last Cabinet, which was prepared to go as far as any Cabinet in making concessions upon this point, and which did carry concession to what some of us thought an imprudent length, could not face this proposal of granting a charter to the Roman Catholic University. When the question of Irish education was under consideration twelve years ago, this proposal did not admit of an hour's consideration as a practical one; it was felt to be an impossibility—because every person was aware that the Catholic University was founded, by command of the Pope, avowedly and ostentatiously for the destruction of the Queen's Colleges. It was a declaration of war against that liberal and national system by which the wisest Ministers and most popular Parliaments had endeavoured to identify the material improvement of Ireland, with its mental and moral growth; and it was in direct and avowed hostility to that system, that this Catholic University was founded for the propagation of Ultramontane doctrines in politics and religion. It had escaped notice, because it had never come before Parliament in its official capacity; but I should like to know what would be the result if it were proposed to the taxpayers of England—to the Protestant Church and the Nonconforming bodies—to endow another Catholic institution, and one called into existence expressly to unfurl the banner of intolerance against religious freedom and the national system. Many of us must have a painful and vivid recollection of the Maynooth cry. We recollect the spirit aroused in 1851, at the time of what was called the Papal aggression. I repeat, that no Minister has ever been bold enough to ally himself by endowment with an aggression on the liberties of religious education that was so calculated to arouse the dormant furies of fanaticism. Lord Palmerston was not bold enough to attempt to conciliate Irish support by such a proposition, nor was Lord Russell, nor the Earl of Eglinton, nor the Earl of Derby; but the present occupants of the Treasury Bench, bolder than all their predecessors, undeterred by their fears, unrestrained by their scruples, reckless of all consequences, signalize the commencement of their Administration by proposing this concession—a concession which tends to subvert the policy which every patriotic Minister has had at heart, and to overthrow that system of education which was England's best gift to Ireland, made by that very statesman upon whom the right hon. Gentleman pronounced so glowing a eulogium the other night. It was the Earl of Derby who, when Lord Stanley, accomplished that, the brightest act associated with his name, and it is upon that system of National education established by Lord Derby in 1831 that, by a singular destiny, as the right hon. Member for South Lancashire (Mr. Gladstone) would phrase it, his political heir and successor inflicts such a foul stab in 1868. The speech of the noble Lord (the Earl of Mayo) has given to the House very little idea of the extent of the change which the proposed plan would effect. Indeed, the noble Lord, in his endeavour to reconcile the gift of this charter with fidelity to the national system, had so difficult a task to perform that he appeared to me to withhold rather than to impart information to the House upon the question. I will, however, show the House what is exactly the state of things now in Ireland, and what would be the consequences if this proposal were carried into effect. In the early part of the century education in the schools of Ireland was of a wretched character; it was, indeed, worse than none—for while the mind of the pupil was not instructed, it was inflamed with religious animosity and with sedition. In 1831, however, the Government of Lord Grey, in which Mr. Stanley was Chief Secretary for Ireland, established the present national system, upon the principle of united secular and separate religious instruction. The system was met by hostility both from the Protestant clergy and the Roman Catholic priests, who did all they could to destroy it. It was, however, accepted by the laity in Ireland in a very different spirit. They welcomed it with gratitude. The more the clergy and the priests declared against the schools the more did the children of the laity swarm to them; and the result of this remarkable insurrection of the laity of both religions against their spiritual teachers was the complete overthrow of the sacerdotal power, and the signal triumph of the national system. The results now presented to us are such as may appear incredible to the House. There are now no less than three-fourths of the Irish children of all denominations receiving their education in these National schools. I have here the Report of the Commissioners of National Education in Ireland for the year 1866, which gives the number of children who have attended these schools since their establishment in 1831. The number of the children who attended in 1833, was 107,000; in 1838, 169,000; in 1843, 355,000; in 1848, 507,000; in 1853, 550,000; in 1858, 803,000; in 1863, 840,000; in 1866, 910,000, and the number is still increasing. These numbers show that there is a steady average increase of 27,000 per annum, and that no less than 3,500,000 of the children of Irish poor have been educated in these schools since 1833. If all this was done in spite of ecclesiastical opposition, what would have been the result had the clergy of both denominations been friendly to the schools? I appeal to the House whether it is not a better proof of the feeling of the laity with regard to these schools that 75 per cent of the Irish children should have attended them in spite of the denunciations of the sacerdotal opposition which they met with, than if the whole 100 per cent of the children had attended with the approbation of the clergy. But these figures, although remarkable, give us a very imperfect view of the good that the system is working. The analysed Returns show that the system is equally popular with all denominations. In Ulster, for example, where according to the Census Return the Protestants and Catholics are equal in number, it appears that half the children attending the schools are Roman Catholic and half Protestant; and in the same manner in all the other Provinces we find that the relative number of Catholic and Protestant children attending the schools are in the same proportion as the Census population. But it is an important fact that all this is mixed education—that is, as much so as the relative proportions of the population and their distribution admits. There are districts where there are no Roman Catholics, and others where there are no Protestants; and in those, of course, there cannot be mixed scholars; and as in Ireland, as a whole, the Protestants are in a small minority, schools can only be mixed until the smaller population of Protestants is exhausted; but that the attempt to make it a mixed system has been as successful as, in the circumstances, was possible, is proved by the fact, that of the 171,000 Protestant children at these schools no less than 89 per cent are receiving education in mixed schools, and as there are parts of Ulster where there are no Roman Catholics, it is evident that a percentage of Protestant children—and eleven is not a large percentage—must be attending schools where mixed education cannot be given. These, then, are the facts; three-fourths of the poor of Ireland are being educated in mixed schools, and the relative numbers of Protestants and Roman Catholics are in the same proportion as the whole population. But then comes the crowning fact—that in these schools the children of the two creeds mingle together—they read off the same book—they play at the same games—they are companions at an age when the affections are lively and hearts are warm—they form early friendships that imbue their whole after life—and, strangest of all, the parents of these children—themselves brought up to hate and shun those of another creed, and to war on them from the cradle to the grave, encourage their children to form these ties, as if to save them from the curse with which they were themselves afflicted. Now, these results show that we ought to hold fast by the non-sectarian system of education in Ireland, and to resist to the utmost any attempt whatever to subvert or destroy its character. The laity of Ireland have stood by it well, and it is our duty to stand by them; but if we allow the opponents of the system to get in the thin end of the wedge, or to effect in the smallest degree a breach in the present University system, depend upon it they will improve their advantage, they will break up the colleges, denationalize the schools, and undo the work of years—the best work that has ever been done by us in Ireland. The establishment of these schools in 1831 was followed up in 1844 by the establishment of the Queen's Colleges, and in 1845 by the establishment of the Queen's University—all as an extension of the same system and principle. Now, this brings me to the change proposed by the Government. The noble Lord said the other evening that there were a large number of persons to whom the system adopted in the Universities was not acceptable, and that therefore they declined to avail themselves of the advantages which it afforded. Did the noble Lord mean to say—as has been asserted elsewhere as a plea for the establishment of a Catholic University—that this arises from any conscientious objection entertained by the Roman Catholic laity? I did not understand the noble Lord to say that, and I am glad that he does not endorse the statement—because what is the fact? I have told you that the Roman Catholic laity, in spite of ecclesiastical opposition, maintain this system in the schools. [*Cries of* "No, no!"] Now, Sir, it is a fact of which I think the House is generally aware, although the noble Lord did not allude to it the other evening, that these Colleges were founded at the request of the laity. The movement in favour of these Colleges originated entirely with the Roman Catholic laity in Ireland. The first proposal made in this House was made by a Roman Catholic Member (Mr. Wyse). A Committee was appointed, and upon the Report of that Committee Sir Robert Peel introduced his measure in 1844, and its introduction was preceded by meetings in the great towns and cities in Ireland—in Cork, Limerick, and Galway—and by memorials to the Lord Lieutenant and to the Crown for the establishment of a system of united education in those towns. It was a movement on the part of the Roman Catholic laity, although the Roman Catholic hierarchy participated in it. When it was introduced by Sir Robert Peel in this House it was supported by the Roman Catholic Members, and by none more warmly than Mr. O'Connell and Mr. Sheil. There were discussions in this House, and in the division I believe every Roman Catholic Member voted in favour of the Government.

Lord JOHN MANNERS was understood to say that this was not the case, inasmuch as Mr. Wyse had voted against the Government.

Mr. HORSMAN: Mr. Wyse, to whom Sir James Graham paid a tribute for his services to Education similar to that paid by Sir Robert Peel to Mr. Cobden upon the Corn Laws, moved, it is true, the Amendment to which the noble Lord alludes, which had reference to certain rules with reference to the imparting of religious instruction. There was a contention between the Roman Catholic Bishops and the Government as to the admission of these rules; but the Government would not give way, and on this occasion Mr. Wyse and Mr. O'Connell voted together. When the Bill, however, was passed, these rules underwent a modification, and not only were those Gentlemen satisfied, but Dr. Murray, the Archbishop of Dublin, and Dr. Crolly, the Roman Catholic Primate, both attended a meeting at Dublin, and said that these rules were now right, and must be accepted, and Dr. Murray allowed his name to be placed in the Senate, and became an active member of that body. I think the noble Lord will admit that my explanation of the division is correct.

Lord JOHN MANNERS said, that he referred to another occasion altogether.

Mr. HORSMAN: This, then, is the fact with regard to these Colleges. They were originally demanded by the Catholic laity; they were launched with the assistance, the countenance, and the active co-operation of the Catholic hierarchy; they had been asked for by public meetings, some of which were presided over by Catholic mayors; and they were received by the Catholic laity and hierarchy, most gratefully, and in the sanguine hope that they were to prove successful. I do not want to dwell upon the causes which led to a complete change when Dr. Cullen was sent over from Rome; but it is a known fact that he came over with the avowed intention of destroying these Colleges. They were disapproved by the Pope, and Dr. Cullen was appointed in an irregular manner. [Sir GEORGE BOWYER: No, no!] The hon. Baronet must be aware that Dr. Cullen was specially appointed by the Pope; that he was not *dignissimus* of those whose names were submitted for election; and that this was in entire violation of the customary practice by which the election of Roman Catholic Bishops is regulated. [Sir GEORGE BOWYER: It was not irregular.] It might not be altogether unprecedented; but it was contrary to custom. Well, Sir, the instant Dr. Cullen came over to Ireland he convoked the Synod of Thurles. He submitted a resolution condemning those Colleges; but so popular were they that the resolution was only carried in a conclave of Roman Catholic Bishops by a majority of one vote. On that their condemnation was immediately proclaimed and this rival Catholic University was established, and such were the desperate measures resorted to by Dr. Cullen to destroy the one institution and promote the other that his bishops actually refused the sacrament of the Church to those of the laity who countenanced these Colleges. It has been said that these Colleges are a failure. I am glad that the noble Lord the Secretary for Ireland has refused to endorse that statement. It would, indeed, have been no great wonder if they had been a failure, considering not only that the Roman Catholic hierarchy denounced them, but resorted also to the refusal of the sacrament to their supporters. So far, however, from their being a failure it would be easy to show that they have not only held their ground, but have gained ground in spite of all the fulminations of the Roman Catholic hierarchy; and this is sufficient proof that they would have been overflowing if they had been let alone. And it is a remarkable fact that, although the whole influence of the Irish priesthood has been brought to drive the young men out of the Colleges into the Catholic University, there are more Catholic students in the University that is under excommunication than in its rival that is blessed. That is the history of the Colleges and of this University. There is on the part of the Catholic laity no conscientious objection to the teaching in these Colleges. Their conscientious objection is to resorting to them in the teeth of the injunctions of their priests; but if the Catholic hierarchy would but withdraw their ban the whole Catholic laity would rush to these Colleges willingly, gratefully, and joyfully. They feel that it is a great grievance that their children cannot receive the education of the Colleges, and, though they will not go to the Colleges under the present state of things, they will not go to the rival University. They regard it as a grievance to them; but is it not a grievance to us to have this interference with the policy by which the State has endeavoured to conciliate a large portion of the Catholic people? It is very hard to have to bear this interference from abroad with our domestic policy; but I must say I think there is one thing still harder to bear, and that is that an English Ministry should be found so wanting in their self-respect and so ignorant or forgetful of the true feeling of the country as to come forward and ask us to confer the favour of the Crown upon this interference—this attack on our institutions—and to dignify it with a charter and enrich it by an endowment. Well, Sir, when I pass from the subject of education to the other parts of the speech of the noble Lord, I cannot help saying that during the whole of my Parliamentary experience I never heard a speech from a Minister of the Crown that gave such universal disappointment — a disappointment arising from no fault of the noble Lord, for he had a cruel task imposed upon him. His Colleagues had been vaunting for weeks past their Irish policy—they were burning to bring it out, and to surprise the world with it; but when the noble Lord got up to explain that policy it had vanished, it was not to be seen, he could not find it. He was very busy with his box; but it was not there. He fumbled among his papers; it was not there. He turned and looked inquiringly into the face of the Prime Minister; it was not there. And so, with admirable presence of mind and ingenuity, for which I give him the highest credit, as the Government were going to do nothing, the noble Lord regaled us with three hours of statistics to show us that Ireland was so prosperous that there was nothing to be done. But the noble Lord forgets one fact which blows all his statistics to the winds, and that is that the Constitution at the present moment is suspended in Ireland. It has been suspended by the present Parliament five times in two years; it has been suspended upwards of thirty times in the course of this century; and although the continuance of that

Act is only asked for twelve months, we have not heard a single word from any Minister which can give us the shadow of a security that the extension of the Act will not be again demanded of us at the end of twelve months, and with as little option to us about renewing it as we have had now. The hon. Member for Cork (Mr. Maguire) asks the Government this plain and practical question—"What do you propose to do to terminate this rule, which has its foundation on fear and force, and substitute for it a government founded on the willing obedience of the people?" and the noble Lord, answers "Nothing." Sir, I am sorry for that answer. I believe no Government ever had a better opportunity of dealing with the whole Irish question; never was Parliament more impressed with the sense of responsibility which the position entails upon it; never were parties more united in an anxious desire cordially to co-operate with the Government in passing healing measures and inaugurating a new and generous policy; and never, I must say, did a Government show itself more blind to the realities of a great question, or more unconscious of the responsibilities and duties of its office. The question which the hon. Member for Cork addressed to the Government as to the substitution of a policy of conciliation for coercion, is one which has baffled the wisdom of generations of English statesmen, and if a Ministry of our time were to succeed where those who have gone before have failed, it would be only by getting out of the old ruts—by turning back to the point where others have gone astray, and, reviewing the past policy of England with all its effects, gaining more accurate knowledge of the present condition of Ireland—ascertaining the causes of that condition, and then applying the proper remedy. What, then, surprises me is that the Government, as it appears to me, have never set themselves to ascertain what is the real condition of Ireland. Everyone who is not on the Treasury Bench knows that poverty and disaffection are the pervading characteristics of a greater part of Ireland, and that to England such a state of things is very discreditable. It is no satisfaction to me to be told by the noble Lord that things are not as bad as they seem; that the material condition of the country is improving, wages are rising, and the sale of beer and spirits is increasing. Everyone who will turn to the record of our Parliamentary debates will see that these have been the stereotyped phrases of the day, which Ministers have used to reconcile us to a suspension of the law. They have told us that "the disaffection is not as widespread as it appears; there are signs of great improvement; all that is wanted is time and patience, and if agitators and quacks will but let well alone, Ireland is slowly but surely passing into a new state of existence." And this new state of existence is so beatific that it all turns out to be a vision, and in twelve months there is a further suspension of the law. The present suspension of the Habeas Corpus Act is the longest that any of us remember. It was the first act of the late Government; it has survived the Government which introduced it, and will probably survive the Parliament which authorized it. Those politicians who take such a cheerful view of the case always base it upon the presumption that Irish disaffection is the result of material and physical causes. But we ought by this time to know that such is not the case. The hon. Member for Cork told us truly, however unpalatably, that the disease of Ireland was not on the surface, but in the heart. He told us that it lay in the sense of wrong, in the sense of injustice which rankled in their breasts, bred and fostered by the traditions of cruelty which have been handed down from father to son, from family to family, and disseminated through the land from province to province, wide-extending and ever increasing, until the memory of it is instilled into the very life-blood of the peasantry. Now the noble Lord congratulated us the other night on the presumption that Fenianism was of foreign origin, and he told us that of the 1,100 men who had been arrested as Fenians only twenty-four were cultivators of the soil. Did he mean to imply that in the southern districts of Ireland—the agricultural districts—the well-affected and loyal are to the disaffected and disloyal in the proportion of forty to one? If he means that, we ask at once why have you no special constables there and no Volunteers; how is it that when a crime is committed the criminal is spirited away and the police are baffled? But the noble Lord contradicted his own statement, for having told us that all the upper and richer classes were against the Fenian movement; that "no landed proprietor, no rich merchant, none of the clergy, none of the people of the highest education were to be found in its ranks," he went on—

for Cork, whether all the difficulties and entanglements of the land question proceed from natural causes or have been artificially created. For my own part, I trace all these evils to a very recent date —to the date when seats in Parliament were competed for by Irish Members, when seats were valuable, and when England ruled Ireland very much by corruption. Then came that enormous multiplication of small holdings, for the purpose of creating votes, to which the noble Lord alluded. Tenant votes were then a more valuable commodity in the market than any improved cultivation of the soil, and thus there came an insatiable multiplication of holdings, which resulted in myriads of human beings being crammed into places that were hardly so good as English pigstyes, where they were reared in destitution and sedition. The first alleviation of this result was given in 1847, in the form of famine, pestilence, and emigration. Before hon. Gentlemen consider the various proposals for dealing with the land, let us consider what it is we have to do. As I understand, our aim and object is to make a whole people contented with the system under which they live—that is to say, with the tenure upon which their livelihood and existence depend. We want to identify the cultivator of the soil with the soil, and to give him not as an individual, but as a class, not merely an interest, but some confidence in the holding. We want to make him feel that he has more to lose than to gain by successful insurrection, and thus to furnish him with increasing motives for industry, frugality, and loyalty. Now, this can only be done by legislating for Ireland more than we have hitherto done in accordance with Irish wants and feeling, and upon principles that are strictly applicable to Ireland, and called for by her special circumstances, without asking whether or not they are equally applicable under all the circumstances to England. I was very much surprised to read a speech delivered at Bristol the other day by the noble Lord the Secretary of State for Foreign Affairs. He expressed an opinion which I should not have expected from one who takes such large and generous views. The noble Lord said there was no principle of legislation which we could apply to Ireland which we must not be prepared immediately to apply to England. Would the noble Lord apply that principle to the Established Church? If he would, I say "Why don't you appoint a Commission to inquire into the revenues of the Established Church in England?" He knows that to do so would be an intimation that legislation would follow. He knows that the Minister who should identify the two Churches, and say that they must stand or fall together, and that to issue such a Commission would be pronouncing the early doom of both. But if you cannot, or dare not, or will not do for Ireland what is good for her because it would be bad for England, what better plea could you furnish to the Fenians, or what better argument to those who are in favour of the repeal of the Union? It is absolutely impossible that you can legislate for Ireland, in regard to the land, upon principles applicable to England, because the circumstances of the two countries are entirely different. It is impossible to find any two countries in which the relations between landlord and tenant differ so greatly. In England, to begin with, you have between landlord and tenant that closest of all ties and sympathy—that they are of the same religion. In Ireland the religions of the landlord and tenant have waged implacable war for generations, which has been carried into every class and every household. In England, as a rule, the landlords are resident. In Ireland they are too often absentees. In England the landlords, as a rule, make the improvement in the soil. In Ireland the improvements are left, as a rule, to the tenant. The points of resemblance, indeed, are not to be found, and the dissimilarities are endless. In England the tenant is a capitalist and an employer of labour. In Ireland the tenant is usually his own labourer, and is very little removed from the class of paupers. In England the tenants, more than any other class, are the friends of order. In Ireland the tenants are the greatest sympathizers with the disturber. I say that in the South of Ireland, where Fenianism is rife, the farmers sympathize with these disorders. In England you have a strong, powerful and active middle class which bridges over the interval between the landlord and tenant, and by whose aid the proportion of tenants to farms is regulated according to the usual law of supply and demand. In England you have great coalfields and manufactures which employ your redundant population. In Ireland, on the contrary, the land is so overpeopled that if a tenant loses one holding he cannot get another. There are no coalmines, no manufactures. The whole population are employed in the cultivation of the soil, and yet, however industrious any portion of that population may be, however peaceable, however loyal may be this vast element to be considered in Irish government and legislation, comprising as it does so many hundreds of thousands engaged in the one national occupation of making the land productive, they stand alone in the civilized world as a class to whom neither law, nor custom, nor opinion, nor the exigencies of the land or its proprietor, has given a secure home or a fixed dwelling; but, so far as any protection of the law avails them, there is not one man among those millions can say that on that day six months he, with all his family, may not be turned out of his cabin into the world, an outcast, a pauper, or an exile. The evils of this state of things have been acknowledged by Parliament, and various efforts have been made to find a remedy by legislation. I must say that the Bills which I have hitherto seen are not satisfactory. This has been not the fault of the authors, because they have introduced such measures as they thought Parliament would pass; but I do not believe that the Bills hitherto introduced would now be accepted as a settlement of the question. I believe that by such measures as I have pointed out you must deal with Ireland. By giving full effect to the principle of religious equality, by removing, by some mode or other, the feeling of insecurity which is driving the tenants abroad, and by uniting all creeds and classes in Ireland in one great system of unsectarian education, I believe you will be able to govern Ireland without having recourse to measures of coercion. And, binding the people to you by gratitude and affection, as well as law, you may reap the reward of wise and beneficent legislation in the attainment of peace and prosperity at home and the cessation of danger from abroad.

Mr. CORRANCE *: Mr. Speaker—Sir, I ought to apologize to hon. Members for wishing on this occasion to address the House, nevertheless, there may be a reason for this. It may seem to some an Irish assertion that this is not an Irish debate. I cannot hold it to be so in any exclusive manner. It involves Imperial questions of the gravest class, and is Imperial in the widest sense. Sir, before I enter further into this, let me make one remark—addressed especially to Irish Members on that side of the House. It will be my duty to differ somewhat widely from some opinions expressed. I shall hope to do so without offence. I am not unmindful of the peculiar, nay the painful circumstances of this case, not unconscious of the feelings they are best calculated to create, they are such as I, as an Englishman, can partake. Sir, the wrongs of Ireland are a fruitful theme—fruitful in one sense of words—barren of results. Now, why is this? The physicians are able, the diagnosis complete; many remedies have been recommended, many tried with indifferent success. Sir, from the hon. Member who preceded me, we hear that secular education has been a brilliant success. His statistics establish this—I am not at the instant prepared to contest their accuracy, but I may at least say this—that they differ with those from which I have lately obtained information upon such points. I believe since 1851 there has been a continuous decrease; but, Sir, if I concede this point, is the hon. Gentleman satisfied with the result? Why, Sir, to quote his own words, "Misery and disaffection prevail throughout." I ask him, is he content with this practical result? Once more—political economy. This has been tried. It can cure, at the expense of the sufferer's life. Successive Governments have tried to deal with it, without success, and since Lord Derby's Land Tenure Bill of 1845, several other such measures have been introduced. During recent times we have had two, both from the late Secretary for Ireland, and the noble Lord who now occupies that place. In each of these there was one distinct principle announced, that of compensation for unexhausted improvements of a certain class. Sir, if I say that these failed, I do so only in this sense: that owing to the immense variety of condition, and still more of sentiment, to which they were meant to apply, they could not gain success. Nevertheless, they were well meant legislative efforts, and I do not detract from their worth nor impugn the soundness of the principle upon which they were built. The remedy may be rather social than political in this case. Into these, nevertheless, I do not propose to go tonight, lest I trespass too far upon the attention of the House; besides these, there are schemes before us of another class. It is up to a certain time, we have been told, that the legislation for Ireland was altogether devoid of justice and of common sense, of penal law, and enactments of that class. Well, this may be true, and for the last twenty years political economy has been relied on to supply all wants. In the present instance we have before us plans wholly distinct. It may, I think, be said that they are neither political economy nor yet common sense. Nevertheless, Sir, as these schemes are endorsed by the distinguished names of the hon. Member for Westminster and the hon. Member for Birmingham, they must at least be treated with respect, and seriously discussed. What are these? They propose simply a transfer of the land from the owner to the occupier class, permissive at present at least. How is this to be done? Well, by the agency of the State. Under what precise condition this is to take place we are not yet fully informed; but whatever may be the machinery set up, whether Crown banks or a *Credit Immobiliére*, the real purchaser of the land will be the State. It takes the place of landlords of every class, even those city companies which the hon. Member for Cork dislikes so much. What are the securities upon which the State will rest? Well, the rent and the land itself. What is the guarantee for the payment of the first? Landlords have found it hard to collect, armed with the terrible power of distraint. Can this power be exercised by the State? Can it seize upon the land? Can it evict? Fancy a whole population evicted, expatriated by the State! Why, Sir, double that army of occupation to which the hon. Member has alluded would not suffice in such a case. Once more, Sir, have we not a parallel to such land tenures as this? It is in India that we must look for this. In the hon. Member for Westminster I speak to one instructed upon such a point. It is such as exists in some of our dependencies between the Ryot and the State — minor details apart. Is this the land tenure the hon. Gentleman would suggest? Are landlords to be superseded by the Zemindar class? Fancy the condition of a village like this. It is the dream of a pastoral poet, but as I before said, neither political economy nor common sense. But, Sir, the hon. Member for Westminster does not stop here. He holds bolder opinions than this. His social economy embraces confiscation of estates. What is the crime this is to punish, and whose the policy which such a measure is necessary to complete? Is it the Exodus of the people that demands this? Surely the hon. Member need not be reminded of this—that this policy was not that of the landlords, nor was the consequence their fault. It took place under a law in which they had no part—under the policy prescribed by the hon. Gentleman and his Friends, whose sympathy comes somewhat late. Sir, the hon. Member tell us we have lived in a "Fool's Paradise!" Then a "Fool's Paradise" of what? Of political economy; of material prosperity; of wealth without social obligations or moral duties discharged, and that these things it requires a revolution to correct. Let me turn to other authorities in this case—evidence which the hon. Gentleman will, I think, respect. In an able article the *Westminster Review* speaks of the Indian land tenures thus—

> "A country cannot be improved *per saltum;* any attempt to revolutionize its institutions all at once is sure to end disastrously, like the judicial and land reforms of Lord Cornwallis. We must build on foundations ready laid, and the neglect of this truth is the main reason of the little progress we have made. The best which we can do, is to communicate the impulse of movement, to relieve every distrust, and to offer in our own actions an evidence of the good whither that movement should tend."

One more authority as to this. Mr. Goldwin Smith speaks thus upon the same point—

> "The plans of Land Reform which I think are to be deprecated are those for advancing public money to the small farmers of Ireland, and constituting the State in fact the creditor of that class. I think it is not too much to say that it would be the surest way to a rebellion. What it demands is, in fact, a measure of agrarian confiscation. Such things may follow in the wake of a great revolution, but can a nation coolly embrace confiscation as an expedient of statesmanship?"

I turn to the hon. Member for Cork. Sir, he has given us a somewhat highly-coloured picture of the state of Ireland, but, Sir, what remedies did he suggest? I listened attentively for this. Only the vaguest possible suggestions passed his lips. Sir, hon. Members are not expansive in this House. They lack the freedom we find in their books and discourses in another place. Even the boldest speakers must be conscious of this, and even the hon. Member for Birmingham has usually reserved his more generous suggestions for other audiences than this. But, Sir, we are in possession of some more accurate data as to this. I allude to the hon. Member for Cork. It is said "That mine enemy had written a book!" Sir, I qualify the allusion in part. The hon. Member is no enemy of mine; he never could be such for his whole-hearted advocacy of a cause like this. It is of his race. But, Sir, has not his enthusiasm deceived himself—blinded him to conclusions furnished by himself. It seems to me so I confess. Let me quote from his book to show this. Speaking of the tenant-right feeling of our colonies, and some transactions which took place in Prince Edward's Island, he speaks thus—

> "In confirmation of the existence of this feeling there is the policy of the leading public men of the colony, which is to free the actual cultivators of the soil from the obligation of rent, by converting the occupying tenant into a fee simple proprietor."

He then instances the sale of the lands of Sir Samuel Cunard, and it is not a little significant to find that the purchase money was given up—practically abandoned. He goes on to say, that by means of legislative action, large arrears of rent were expunged from the books of proprietors and declared irrecoverable as against tenants who shall avail themselves of the provisions of this Bill—

> "Whilst the tenant's improvements were in existence, they were a sufficient security against the recovery of all arrears of rent. On one lot the tenants, by having availed themselves of the advantages extended to them, had had over £1,000 of arrears wiped off—every farthing of which could have been recovered by the proprietors, because the tenants were in reality men of wealth. On the Sullivan property it was the same, There were many tenants upon the estates affected by the Fifteen Years' Purchase Act, to whom, before the passing of that Act the proprietors would not consent to sell the fee simple of the farm under twenty or thirty years' purchase, but who were compelled to part with it at fifteen years' purchase under this Act."

Now, of course, when the hon. Gentleman calls upon us to adopt and follow such a precedent as this, it becomes of some importance to know the exact conditions of this case. When we consider that the sanction of a British Minister was obtained to such an arrangement, the significance of the circumstance is increased, and we are bound to inquire more particularly into the details of the case. This the hon. Member does not seem to have done, or he would have found that they were exceptional, a fact which I can place beyond doubt. He would have found that the title was of imperfect validity, and that the conditions had not been carried out—a very cursory examination of the documents referring to it will show this. In the Report of the Royal Commission which sat upon it, this is clearly pointed out. It proceeds thus—

> "One of the first Acts of the Legislature was the taking into consideration the non-performance of the terms and stipulation of the grant. During the ensuing five years the quit-rents were not paid as stipulated. During the first ten years, the terms of settlement with reference to population were complied with only in ten townships."

Then follow five Resolutions condemnatory of the indulgences extended to the proprietors for the non-performance of the conditions of the grant. In the correspondence with the Duke of Newcastle, then Foreign Secretary, there is much more to the same effect. These estates were, in fact, liable to an escheat, which was only partially carried out. Well, Sir, I need not, I think, quote further to show that the circumstances were exceptional in this case, and that the application of such measures were clearly justifiable in such a case. But when the hon. Member argues from this that it conveys a lesson upon which, under widely different circumstances, it would be wise or prudent to act, he is deceiving others or else deceived himself. There is no parallel in this case. Of this, indeed, he seems half conscious himself, when he admits—

> "That if proposed here it would be considered as a measure of sweeping confiscation, worthy of the days of Jack Cade, or of revolutionary France."

He further tells us that to the Government it was a paying concern, a matter of which we can entertain no reasonable doubt. But, Sir, let me finally say this, that if such are the real sentiments of the hon. Member and of others in this House; if, I say, they conceive that such measures are at all applicable to the old settled properties of England or Ireland, they have either a very imperfect idea of the actual conditions, or the effect of the application of such measures to all property alike. What would, for instance, be the condition of the new proprietors in such a case? Under such a law let us suppose that they have acquired an estate, are they still subject to the law of escheat? Is forfeiture still the condition of a lease? Does the State resume its right in such a case? What sort of proprietorship is this? Take another instance, furnished by the hon. Gentleman himself—namely, of the MacCanus, who, axe in hand, hewed himself out an estate. Is this also liable to confiscation if let? Or that honest industrious Irishman in Upper Canada, who, he tells us, commencing with one week's wages, ended the master of 900 acres of fertile land. Is this possession still subject to the same law, and would there be no hardship in this? Surely, Sir, I need no further appeal to the hon. Member, his sympathy for the poor industrious man will correct his judgment as to what is due to the rich. At least let me say this, that if such a law were sanctioned, it would press upon the poor even more than the rich, and would exercise a pressure upon them more direct, a pressure which hitherto no Legislature has ever permitted, and no despot ever dared to exact. Sir, I have perhaps trespassed too long upon the time and patience of the House, but I would make one concluding remark. I do not deny the existence of evils in Ireland, nor the possibility of remedy. God forbid! Through her whole history there runs an evil vein, which has tended to an unfortunate result, and circumstances which none who have known and appreciated the rich genius of her race, can contemplate without sorrow and regret. For these the remedies may be political, they are more social, as I think; but they must be in any case a work of time to effect. Go to any long deserted or neglected village and you will see this. Sir, in the general scope and to the principles laid down in the speech of the noble Lord I concur, I agree also with the hon. Member who has urged that a full and fair inquiry should take place. But with those who, in this evil current of the time, seek occasion to preach a revolutionary propaganda, and to rouse the antagonisms of the past, Sir, I emphatically dissent.

Mr. LOWE: Sir, it is the misfortune of Ireland that, having like other countries differences of opinion among its inhabitants, and relations of superiority and inferiority such as must always exist in every community, the national mind seems incapable of accepting them as they are accepted in other countries, but somehow or other contrives to engraft on them contention, division, and hatred. We have landlords and tenants in England as they exist elsewhere, but we can contrive to carry on our business without mutual quarrels. We have Protestants and Catholics in England, as they have them in other countries, and we find that both here and in other countries the Protestants and Catholics can live side by side in harmony. The effect of the state of things in Ireland—the causes of which I will not now attempt to analyze—is the very lamentable one that whenever any event occurs—any misfortune, such as all communities are liable to at some time or another—instead of being regarded with candour and impartiality, it is seized upon eagerly by both parties, and sought to be made a weapon to embitter the controversy which already exists. In this point of view the incident of Fenianism has been a perfect godsend to those who are desirous of promoting agitation, though to a man who, like myself, is willing to take an impartial and common sense view of things nothing can be simpler than its origin. When the great civil war in America closed, and when even the enormous absorbing power of that vast and prosperous community was unable to take up all the elements of disorder which the war had brought into being, a number of persons were left who were unable to conform themselves to the habits of industry, and to a civilized and quiet life; and it is not to be wondered at that those persons saw in the discontent in Ireland—represented in America to be much greater than it really was—an opportunity of pushing their fortunes in the desperate and turbulent manner of life to which long years of civil war had accustomed them. That those persons should have come over to Ireland, furnished with money from their friends in America, and spend that money freely in public-houses which were the resorts of the lower class—that in a country like Ireland, where, unhappily, a great deal of poverty and misery still exists, they should gather around them persons of desperate fortunes, willing to embark in enterprizes of the most criminal character, is not a thing which ought to excite the surprise of any man who has read history, and more especially the history of Ireland. It seems to me quite unnecessary to go very deep into the social condition of Ireland, and the grievances under which she is alleged to suffer, in order to account for the very lamentable phenomena of the Fenian conspiracy. That conspiracy, however, has been identified with every existing source of Irish discontent. On the first occasion when the suspension of the Habeas Corpus Act was moved, that was taken by several hon. Gentlemen in this House as the text for disquisitions on all the evils Ireland had suffered from the time of James II. to the present moment; and it is considered now to be an occasion which calls upon us for more peculiar exertions to correct the mischief existing in Ireland. But why is this the case unless we can connect, by some logical sequence, the Fenian conspiracy with the existing discontent in that country? Hon. Gentlemen say that because of the Fenian conspiracy we must adopt a revolutionary policy with regard to land. Why, what have the Fenians to do with the land? Have the small farmers joined the Fenians? The noble Lord (the Earl of Mayo) told us the other night that among the 1,100 persons arrested not one in 50 were small farmers. And when you think what "small farmer" means in Ireland—when you think of the poverty and misery which this term too often implies—the proportion is absolutely wonderfully small, and instead of showing any connection between the two, it seems to show the widest divergence possible. Is there any connection between the Fenians and those who complain of the Established Church? Do the Fenians care to redress the Irish grievances in that direction? Do they sympathize with the woes of those who complain that they have not Universities suitable to their case? Are these the errands on which these messengers of peace and civilization come to their help? Have they any secret understanding with any of the promoters of those causes which have been advocated in this House? Sir, it is ridiculous to say so. We know very well on what errand they have come. They may gloss it over with the name of nationality if they please, but in reality it is a game of confiscation. It is not England they come to attack. They come, in the exercise of their vocation as enemies of mankind, to prey upon the Irish people—to plunder and desolate Ireland; not to establish fixed tenure, but to take the place of the landlords, and to screw what they can out of the people. It is time to speak out upon this point, for an attempt has been made to connect with the causes of discontent, real and unfortunate as they are, this extraneous movement, which has little or nothing to do with them, although it may be traced up to what my right hon. Friend (Mr. Horsman) calls causes or antecedents of discontent, which existed amongst the Irish many years ago, and are now extinct. In arguing this question, I would lay aside altogether the Fenian conspiracy. It merely tends to perplex and embarrass the Irish question, and in no way to clear it up or to lead us to what we ought to desire to arrive at—a solution which will really do some good to Ireland. We can deal with these Fenians, and when my hon. Friend talks of the suspension of the Habeas Corpus Act, and the suspension of the Constitution, I say, that if we had only to deal with the Irish indigenous discontent, we need not suspend it. We suspend the Habeas Corpus Act because a number of lawless foreign adventurers landed in Ireland, and because in justice and fairness—not to the people of England—but to those of Ireland, which they came to plunder, and among whom they came to exercise their vocation as robbers, and enemies of mankind—it was our duty to arrest those individuals, and to prevent their preying upon the people of Ireland. Before, however, I put this matter aside, I will give an illustration of the manner in which this Fenian conspiracy is spoken of, by quoting from a great authority—I allude to my hon. Friend the Member for Westminster (Mr. Stuart Mill). In the first place he compares it to a clap of thunder in a clear sky, and, as if that were not emphatic enough, he proceeds thus—

> "The disaffection which they flatter themselves has been cured"—I am sorry to say that I am not acquainted with those who do so flatter themselves—"suddenly shows itself more intense, more violent, more unscrupulous, and more universal than ever. The population is divided between those who wish success to Fenianism and those who, though disapproving its means, and perhaps its ends, sympathize in its embittered feeling."

Now, does my hon. Friend really mean to say that the Fenian outbreak, such as we have seen it, is "more intense, more unscrupulous, more violent, more universal," than any other outbreak Ireland has ever seen? That is the language of this pamphlet, and on this language he bases the proposal I will presently consider. But, I ask, can there be anything more calculated to mislead our judgment! Let us give full weight to the Fenian insurrection, and say anything we can of it with truth. Those who have read the history of the rebellion of 1641, of the bloody civil war of 1690 and 1691, of the war of 1798, or even of the insurrection of 1848, know very well that all the symptoms we are accustomed to look for in outbreaks of this character have been mitigated in the case of the Fenian outbreak. If we could derive encouragement from anything so melancholy, it would be really encouraging to contrast the outrages and horrors of 1798, perpetrated by both sides upon each other, with the regard for human life shown by the Fenian leaders, when it was not necessary for their purpose to take it. My hon. Friend talks of revolt and rebellion—where was the rebellion? There was some little stir last year; but when the Fenians were encountered by men with arms in their hands the contention was as to who could run away first. Since then, what have been the characteristics of the movement? We have had attempts, on the part of a few dastardly assassins, who confessed their weakness by their manner of attack, shooting stray policemen, or blowing up innocent women and children. That is the sort of rebellion we have had to meet—a kind of revolt and rebellion which half-a-dozen unscrupulous men, dead to feeling and humanity, can always raise against any Government. These are not occurrences to shake our manhood, or lead us to adopt measures more violent or revolutionary than we should take in ordinary times of peace. No doubt, there may be a great many things wrong in the state of Ireland—things which demand redress, even although we are not called on to take any violent measures in consequence of the Fenian outbreak. I do, therefore, invite the House to consider what there may be in the state of Ireland that we can redress, and the best way to find that out would, I think, be first of all to see what cannot be done. Now, Sir, in the first place, the noble Lord the Secretary for Ireland has proved most satisfactorily that Ireland is not retrograding—that although the prosperity of Ireland is far behind that of England, still she is going forward. No doubt, she has had reverses peculiar to herself, being purely an agricultural country, and therefore at the mercy of the seasons. She is subject to the law which affects all those who, vulgarly speaking, put all their eggs in one basket, and have only one source of wealth. Still, Ireland is not retrograding, but, all things considered, is making considerable advances. Well, then, as to the ill-treatment Ireland receives from England, I protest against such language. England does not govern Ireland more than Ireland governs England. England, Scotland, and Ireland are partners in a great concern—portions of a system in which each acts and re-acts on the others in proportion to the weight it brings into it. Ireland is as fully represented in Parliament as even Irishmen claim she should be; she has her full share in the Government; she is not a dependency; she is not in any way subordinate to the Government of England. Ireland is a part of the United Kingdom. With her 105 Members in this House, it cannot be said she is inadequately represented; and if it does so happen that these Members are very nearly divided between the two parties, that is not our fault. The measures adopted by Parliament are not measures pressed by England and Scotland against Ireland, because if they were we should expect to see the whole of the 105 Members opposed to them. Well, then, look at the taxation. There are £4,000,000 of taxes paid by England and Scotland to which we do not ask Ireland to contribute. There are, for example, the assessed taxes and the railway tax from which Ireland is exempt. It is right that these things should be said, for I feel as an Englishman impatient under the weight of the misrepresentation and calumny to which this country is subjected. Again, at the time of the famine, a loan of £5,000,000 was incurred, and was charged on Irish land. England, very rightly, and certainly in no spirit of unkindness or hostility, undertook that loan, and placing it upon the general funds of the Empire, relieved Ireland of it. In England, the police force are partly paid out of the county rates; the police of Ireland are wholly supported out of the Consolidated Fund. Education in England is paid for only, to a small extent, by the Government, the proportion being one-third of the whole; but in Ireland, four-fifths of the primary education is paid for out of the Consolidated Fund. In England, we are in want of some University for the middle class; in Ireland, we have founded out of the public funds an admirable system of mixed education, which is maintained at the expense of the United Kingdom. I believe it is supposed in America, in Fenian circles, that we tax Ireland most unmercifully; but the fact is rather that Ireland taxes us. I now come to the next complaint, which is one fruitful of all sorts of difficulties—namely, the question of the land. I have sat on several Committees of this House to investigate this question, of the land in Ireland, and it never has been my fate to hear a single case of grievance or ill-treatment of a tenant alleged, with dates and circumstances, so that it could be verified. I sat on a Committee with the noble Lord the Chief Secretary for Ireland; he will recollect we heard many witnesses against the landlords, but there was not one fact adduced to bring the charges home. There were many general arguments and statements of the possibility of improving the law; but no facts were given on the subject. I mention this because I would venture to suggest that, as a Commission is to be appointed, it might be desirable that a clause should be inserted desiring them to hear statements of that kind. Our Committees were entirely unsuccessful in discovering any case of real grievance. Let us look at the question as it really stands before us. How does the law stand in Ireland with regard to landlord and tenant? It is ridiculous to inveigh against a law which is the same in Ireland as in England; and whatever may be the difference between the two countries, it is impossible that there can be any fundamental injustice in a law which works with entire satisfaction in a country like this. When it is looked into it is not difficult to arrive at a conclusion with regard to this question. The hon. Member for Westminster says that Ireland has only one industry—that of the cultivation of the land, while England has many; that in Ireland the tenant is not as in England and Scotland, a capitalist, but a labourer, or as poor as a labourer—often much poorer than the labourer in England; that in Ireland everything depends upon the terms upon which land can be got, and that the terms upon which it is to be had in Ireland are the worst to be found in Europe. This is a melancholy picture, and there is a great deal of truth in it; but not the whole truth. According to the statement of the noble Lord the Chief Secretary for Ireland, there are in Ireland 175,000 holders of land, who occupy on an average four-and-a-half acres of land each, at a rental not exceeding £4 a year, and there are 142,000 tenants who occupy on an average only thirteen acres each, at a rental not exceeding £8 a year. . With this state of facts before us I do not see that we need go far to ascertain the cause of the distress existing in that country. How is it possible that such a system as this can be worked with satisfaction between landlord and tenant? Conceive a man holding those wretched four acres—who feels himself poorer than the labourer who works upon the farm of the larger tenant. Instead of receiving wages he must toil from morning to night in order to pay out of his wants, his miseries, and his necessities the rent he has agreed to pay to his landlord. He must exist in doubt and fear during good seasons, and in bad he can do nothing but throw himself upon the mercy of his landlord or parish. Do you think he can be happy and contented, or look on his position with satisfaction? Is it not wonderful—indeed is it not almost supernatural—that a man so placed should turn a deaf ear—as appears to have been the case—to the emissaries of civil war and sedition who come to him across the Atlantic with plenty of money, and who, pointing out the great houses around him, tell him of the plunder that lies within his reach, and ask him to join in a general raid against the property of the rich? I ask any Gentleman, who has an estate let in farms of 200 acres each, what would be his feelings if on returning home after an absence abroad of some years he should find that his agent had got rid of all his large tenants and had let his estate in holdings not exceeding in value £4 per annum? Why, he would feel, and rightly so, that his property had gone to ruin. That is the view that every practical man would take of such a state of things. But what do the hon. Members for Stroud, Cork, and Westminster ask us to do? According to their views we are to accept this state of things in Ireland as permanent. We are asked by them to concede that this miserable condition of affairs is to be the be-all and end-all of that country; that the occupiers of these holdings are to depend entirely upon agriculture in a country with a humid and uncertain climate and a not very grateful soil. They say we must accept this as the ultimate stage of civilization to which Ireland can aspire, and that we must take every means in our power to stereotype and perpetuate it. The noble Lord opposite himself proposes that we shall give the tenant compensation for improvements—that is good improvements—while it is clear that it will be totally out of the power of these small tenants to effect improvements that will in any way benefit the landlord. The only improvement a tenant could make upon such a holding that would really benefit his landlord would be that he should be good enough to walk out of it, and that would be an improvement which his landlord would doubtless be glad to make him compensation for. Before I come to deal with the scheme of the hon. Member for Westminster, I should like to say frankly how the matter strikes me. It seems to me to be quite manifest that this is not a state of things to be acquiesced in by us as the ultimate and permanent condition of Ireland; if it be so we may as well close the Irish statute book. It is of no avail for us to endeavour to make laws to encounter all this vast amount of misery and desolation; make what laws you choose you will have nothing but discontent and wretchedness as long as it endures. The most obvious remedy—I will not say the only one—open to Ireland to relieve herself from her terrible condition is to provide for her working classes some alternative besides the cultivation of the land. Emigration may do much towards giving the relief sought, but no nation can be content, no nation will be loyal, unless the great mass of the people are raised above the misery of daily want. You may pass all the laws you please for the purpose of remedying the evil, but by so doing you will only stereotype and perpetuate it. Then, what is required to bring about a happier time? Why, capital ought to be thrown into the country, with which manufactures could be established. The right hon. Member talked about there being no coal in Ireland for manufacturing purposes; but if there be no other objection to the establishment of manufactories than this, Ireland, with her numerous ports and her network of railways, could soon have an ample supply of coal at a rate sufficiently cheap to enable her to have as great a variety of industries open to her population as England has. And why is it that capital does not flow into that country? That is exactly the point. It is not the fault of this House. We cannot pass laws to compel men to take their capital over to Ireland. Then, whose fault is it that they do not do so? Why it is the fault of those who call themselves the friends of Ireland. It is the fault of persons like the hon. Member for Cork, who denies that Ireland is in the improving condition in which the noble Lord represents it to be, and asserts that it is rapidly going to ruin. Is that the way to bring capital into the country? The hon. Member says, "I trust in God that something will be done to relieve this misery. I am unwilling to have recourse to agitation." That means, "If you do not do something we will have agitation." If the misrepresentations of the hon. Member do not drive capital away—and perhaps capitalists will not pay much attention to them—the agitation he threatens will do so. Thus it is we get into this vicious circle,—Ireland is miserable because capital cannot be brought into it to take the people from the cultivation of the land, to which employment their energies are too much restricted, and capital cannot be brought into Ireland because Irishmen will assert that the condition of the country is worse than it really is—her discontent greater, her means of improvement less. Well, what can we do under these circumstances? We can pass no law to give hon. Members common sense and ordinary prudence. They must try to obtain it from some other quarter. The hon. Member for Westminster has a remedy of his for the purpose. I am inferior to him in this, that I have no remedy to suggest. My only remedy would be to restore confidence in the country, which it is impossible to do as long as exaggeration, agitation, and discontent exist, and there is an absence of a spirit of good sense and moderation. The hon. Member for Westminster, after giving us a glowing description of the Fenians, proceeds to argue in this way. He says that the one cause of Fenianism is mismanagement, and that all Irish people who are not Fenians sympathize with them. That is the opinion which is expressed by the hon. Member, but I suppose he will except from those sympathizers the police who acted with such gallantry and devotion on every occasion, and the jurors who have acted beyond all praise, showing that they were not actuated by panic or by enmity, but exercising their power of mercy whenever they could find a reasonable excuse for so doing. I hope, therefore, my hon. Friend will allow me to make these exceptions from his sweeping denunciations. It is strange that the friends of Ireland should always be denouncing everybody in it. My hon. Friend says that this Fenian movement has been created by England's mismanagement, and that English mismanagement is created by conceit, and he exemplifies his assertion by referring to our mismanagement of the land, which he says proceeds from our own conceit in allowing the Irish to hold land and manage it as they do in England. The hon. Member says that we have forced on the people of Ireland the English idea of an absolute property in the soil. The thinkers of the school of my hon. Friend are in the habit of reproaching England, because, by the liberty our law gives of making settlements by deed or will, we place the great properties of the country in the hands of successive tenants, so that, with us, the owner is seldom the absolute owner. It is, therefore, not very easy to see what the hon. Member means by the term absolute property. I disclaim any "inordinate conceit" in the matter; but there is an oasis in the desert of politics upon which we may safely rest, and that is afforded us by the principles of political economy. In accordance with the best ascertained principles of political economy, as well as of law, every man who has made money is entitled to invest it in land, and if you introduce arbitrary restrictions with regard to land, you artificially depreciate that description of property compared with other property. Freedom of disposition of land is a strong stimulus to that desire of accumulation on which the wealth of nations depend. I entertain a prejudice, derived from Scotland and adopted by Adam Smith, that a man is at liberty to do what he likes with his own, and that having land, it is not unreasonable that he should be free to let his land to a person of full age upon the terms upon which they shall mutually agree. That I believe to be reason and good political economy. My hon. Friend refers to the declaration of the Roman Catholic clergy of Limerick, who hate Fenianism, are calm men, and only wish for separate institutions. These calm men of Limerick celebrated a mass in the morning for the souls of the three unfortunate men who were executed at Manchester for the murder of Brett, and after that they adjourned to the chapter-house and held a meeting in a very calm manner, and drew up a well-written paper on the advantages of liberty. They recommended a repeal of the Union in order to introduce into Ireland a system of protection to every Irish manufacture and every Irish interest. These calm men of Limerick want to go back from the policy of Free Trade. They said it was vain to ask such legislation as this from England. Our national conceit is such that we should never give it to them; and these calm men wished, as my hon. Friend (Mr. Stuart Mill) says he wishes, that Ireland should receive different treatment from England. Does the author of *Political Economy*, who has so ably advocated the principles of Free Trade, think that we are guilty of intolerable conceit because we differ from the calm men of Limerick on the subject of Free Trade? As for the Fenians having anything to do with this matter, I need not urge that point. I do not think it is absolute property which the Fenians object to. It is not so much the division of property between landlord and tenant which is the salient idea in their minds. With them it is rather a question of persons than of property; the question is not so much how the land should be enjoyed as who should enjoy it. Their mind is chiefly fixed on what the civil law calls "substitution"—the doctrine that you are to get out that I may get in. It is not so much that we have mismanaged the land or oppressed the tenant; our error has been in holding our property ourselves, instead of handing it over to them without giving them the trouble to take it. Now, the plan of my hon. Friend (Mr. Stuart Mill) is pretty clear. It is to have a Commission to investigate the present value of the 316,000 small holdings, and the other holdings, amounting altogether to 500,000 or 600,000; to consider what their prospective value is likely to be—on what data I know not—then to consider what would be the proper compensation the landlord should receive, and next, what would be the proper sum the tenant should pay. If the two things do not square, then the people of the United Kingdom are to pay the difference out of their pockets. That is a simple analysis of the plan. There is this further condition—that the rent, which is to be paid to the Government, as I understand, is to represent the full value of the land. There is an alternative, I believe. The landlord may either get rid of the concern altogether, receiving the value of his rent in stock, which, if he be a wise man, he will certainly do; or, if not, he may continue to receive the rent, being paid the difference out of the Exchequer. There is, I presume, to be no redemption of the rent, because the full rent is to be take as a security against subletting, so that you are to settle Ireland for ever according to its present system of occupations, and with every one of the holdings, be they large or small, which now exist. Who will be the better for this change? Will it be the State? I am sorry to say that, owing to the enormous number of small holdings in Ireland and the hard terms on which land is often let there, the landlord is in many cases an object of hostility to his tenants. In getting rid of the landlord you get rid of so much of this hostility. But then, at a moment when you are trying to reconcile the Irish people with the Government, you remove the landlord and place the British Government in his stead. Moreover, you take care that the new landlord shall be as odious as possible, because the State, which has become the landlord, is of necessity an absentee. The State is an abstract idea, and lives nowhere in particular—certainly not in Ireland. Then as to improvements —can you devise any scheme by which the State can make improvements? Would not any system of this kind be open to all sorts of abuses for electioneering purposes? The scheme is impossible. The State must of necessity be a hard, unyielding landlord, acting on fixed principles; for otherwise, you open the door to every species of jobbery and corruption. Then I suppose that sometimes the rent will not be paid. Indeed, it will very often not be paid. In bad seasons these 316,000 small holders will be pretty much on the hands of the State, and we shall have the hon. Member for Cork and other eloquent Irish Gentlemen entreating us to have mercy on a starving people. That claim will not be made in vain, particularly if parties happen to be evenly balanced at the time. But, after all, if only for the look of the thing, you cannot always be giving up your rent. In that case, where you have a property and a tenant who will not pay the rent you must evict. Is that one of the means to make the State popular in Ireland? The hon. Member (Mr. Maguire) tells us, in his book, of settlers in America who had been evicted from their holdings in Ireland, and were full of the cruelty and the hardship they had undergone. But what they said to the hon. Member was, "We did'nt mind the landlords; it was the bloody English Government and the Peelers." Now, if you put "the bloody English Government" in the place of the landlords, will that help to conciliate Irish tenants? If the Irish mind cannot endure the English Government interfering in case of an eviction to prevent a breach of the peace, how will it tolerate the Government which evicts tenants on its own account? Again, you say a great deal about compensation for improvements. Will you trust Government agents with the power of saying to tenants just before an election, "By-the-by, I quite overlooked that pigstye; it is a most elegant edifice, and adds very much to the beauty of the landscape, as well as to the value of your three-acre holding; please accept £10 as compensation for this improvement, and if it should be convenient to you to vote for Mr. So-and-so, perhaps you will oblige me by doing so?" How can you leave to the Government a discretion like this? The State must act upon certain inflexible rules, and, even if merciful and generous, it will still be ten times as odious as an individual landlord; but it must be hard or corrupt, and very probably will be both. Besides, although we seem much inclined to overlook everything in the case of Ireland, some justice is due to English taxpayers before undertaking a scheme which contemplates our paying the difference between what the landlord should receive and the tenant should pay. You ought to have some mercy upon us, and give us some better security than you propose to give us. We shall be heavy losers in point of money, and we shall, besides, become odious to the Irish people. We shall undertake an enormously difficult job; and there will be another risk of loss. The tenant will be very likely to "scourge" the land—I am indebted for this argument to the excellent pamphlet of Lord Dufferin—by growing flax and other exhausting crops. He will then go away, leaving the land on your hands, and you will have to re-let it at a lower rent to somebody else. The State, then, has no good reason to look with satisfaction on the scheme of my hon. Friend. As for the landlords, they would be wiped out completely. Of course, no man among them would remain under such circumstances. All the intelligence of this class, the property they possess elsewhere — a guarantee for funds upon which Ireland may draw in case of necessity—all this is lost to Ireland, and those persons will be withdrawn from the country. All the Conservative interests which now cluster round property there will be banished, and there will be nothing left between the Government and the people, just as in parts of India you have nothing between the Government and the ryot. There is one other matter. You are going to settle the rents on every portion of the land of Ireland. These rents are to be permanent, and, being chargeable on the whole holding, they cannot be apportioned in case of any subdivision of the land. Even the least sanguine of us must suppose that hereafter, in some portion of Ireland, there will be improvement. But if a village or town should spring up on any of this land, every house will be liable to be distrained on for the rent of the whole holding. Such a liability must interfere with the progress and development of the country, or perhaps prevent its development at all. With regard to the landlords, connected as they are with their property by interest and tradition, considering how many things there are in the occupation of land for which no compensation can be given, it is impossible to regard the measure as any other than a measure of confiscation which will be carried by violence against the wishes of a class. But then the tenant is to pay rack rent, and hence we have another reason to suppose that in many seasons he will be unable to pay his rent. Then very likely he will be evicted, and this will be more likely under the State than under a private landlord, because the agents of the State will have less discretion than a private landlord. The Fenians will get nothing out of the plan; and the labourers, who also ought to be considered on my hon. Friend's own showing, because they till the soil, will be worse off than they are now, for they will have to deal with poorer and therefore harder masters, and harder bargains will be made with them. The one great wish of the people of Ireland is to get land. This measure will not in the least gratify this desire unless it be by sub-letting. It will certainly not leave the tenant any better off. You will wipe out the whole class of estimable gentlemen who live in the country, without, as far as I can see, conferring any benefit on a single individual. There is another point I should like to submit to the House, because, although this is not exactly a point before us, it is in the highest degree important that these wild theories should be discussed and exposed. The holding of land, whether in large or small portions, is not a matter which can be regulated by rule of law, but depends upon economical conditions and the state of society in the country. I venture to lay that down as a broad, general principle, and will endeavour to illustrate it. You cannot have large estates in America, because the price of labour is so high that you cannot cultivate a large estate yourself, and you cannot let it because the persons who would elsewhere be tenants prefer to be freeholders. You cannot keep it idle, because taxes for roads, schools, and other matters would swallow up all your capital; and therefore you can do nothing but sell, and you must sell it in small portions, because the purchasers are as a rule out-coming emigrants, and these portions must be adapted to their wants, and will be paid for in instalments spread over five or six years, out of the proceeds of their labour. This is not a question of law, of democratic or other institutions, but arises from the nature of things themselves. In the same way you cannot have small estates in England. You had them at one time, when you had the yeomen whose disappearance has been wept over by poets and other sentimental persons. Yeomen, however, can only exist in a state of society in which money invested in land yields a large and ready return. But such a return cannot be obtained in a country which has become thickly peopled, and in which capital has largely accumulated. In such a country the ownership of land becomes a very expensive luxury, and the small holder finds it his interest to sell his property to the rich man, who, for his amusement, or for the sake of political influence or social station, aggregates large tracts, knowing that he will not thereby realize more than half the income he might derive from other investments. The measure of the inducement of the yeoman to sell is the excess of the interest of the purchase-money over the rent of the land. This will show that the question of holding of land is a thing that the conditions of a country will themselves regulate, and which it would be folly to attempt to regulate by law. My belief is that if this measure were to pass persons who have these pieces of land, subject to the payment of rent to the Government, would find that they could sell it on advantageous terms. They would sell the land, and it would be only rich people who could buy it. The process of aggregation would again commence, and large estates would once more be formed in spite of the hon. Member for Westminster. That would be the case of the provident, who would sell as purchasers offered. But besides that there would, no doubt, be improvident persons who would not sell; but who would be actuated by that spirit of land hunger which is so common in Ireland. They would hold the land and hand it down subdivided to their children and grandchildren, until it became a perfect human warren. Thus you would at length have one portion of the land divided into large estates, such as those which the hon. Member for Westminster now wishes to get rid of, while the remaining portion of the country would present a condition similar to that of Ireland previous to the famine of 1846. I must apologize to the House for dealing with this subject at such a length, and, in concluding, can only say that it is quite clear that the burning desire in the mind of these tenants of the Government would be to get rid of their landlord. Having first withdrawn all the Conservative influences in the country, you would, in the next place give the strongest possible impulse to the desire for separation, because the tenant would think that by getting rid of his landlord—that is, the Imperial Government—he would get rid of his rent at the same time, and be thus enabled to live like a gentleman for the remainder of his life. I now pass to another branch of the subject. I have spoken of what I consider cannot be done for Ireland, and now I would refer to what has fallen from the noble Lord (the Earl of Mayo) with respect to the Catholic University. Now, the proposal which he has made is one of the most retrograde it is possible to conceive. It is perfectly clear, to my mind at least, that if we were creating our Universities afresh we should not make them sectarian. I believe that they ought to be secular even now, as far as we can make them so. But the idea that we are now, at this time, deliberately to set to work to establish a sectarian University is one which, in my opinion, is utterly unworthy of a "truly liberal Government." I cannot understand such a proposal. There is a Roman Catholic University in Ireland already, established by Papal rescript issued in conformity with the resolution of the Synod of Thurles. In respect to that University, by the way, the Pope has assumed a power to which he has no right, that power being one of the Prerogatives of the Crown—to confer titles of honour in the shape of degrees. That University was set up to counteract the mixed system of education; it has a very large endowment fund amounting, as I have heard, to £120,000, though everything about it is very obscure. That University has existed up to the present time, and is not a success. Is it not most extraordinary that the noble Lord, or the right hon. Gentleman the First Minister of the Crown, should propose to found a Catholic University; to place it in the hands of four Bishops, assisted by the president of Maynooth and six laymen; that he should make up his mind to endow it, and to revive the obsolete invention of affiliated Colleges, and that he should have done all this without consulting the Bishops on the subject; that in bringing it before the House for the first time, he should have ignored the existence of the present Catholic University; and that the noble Lord or the right hon. Gentleman should expect that the Bishops, having already got a University largely endowed and completely in their own hands, and being strong enough to make it worth the right hon. Gentleman's while to conciliate them, should now give way and give back to the laity the power they possess, and should cancel the Papal rescript? Does he think this so probable, or so likely, or so certain, that he does not take the trouble to consult the Bishops, but comes directly to this House to inform us that that is what he is about to do? I may, perhaps, be somewhat uncharitable, but it is with the utmost difficulty that I can persuade myself that the right. hon Gentleman is in earnest. It is so utterly contrary to my ideas of doing business, that this House should be asked to agree to a scheme the whole essence of which depends upon the consent of the Roman Catholic hierarchy. But it is, perhaps, one of those pyrotechnical devices, of which we have so many, I am sorry to say, of late years, which are sent up in the air so that mankind may gaze at them for a moment, and when they have answered their purpose sink like a rocket and disappear. I believe it impossible for the enemies of Ireland to devise a more objectionable scheme, one which, far from healing the wounds of that country, would be more likely to cause additional mischief. We should not be making a concession to the Roman Catholic population, but to the Roman Catholic hierarchy, an Ultramontane hierarchy — a hierarchy that has an electioneering influence; and it is that influence which you are seeking to buy by sacrificing the Roman Catholic laity. The Roman Catholic laity in Ireland are entitled to the sympathy and protection of this House, and, believe me, they want it. These are not the times of Dr. Crolly and Dr. Murray. You have to deal now with the Ultramontane priesthood in Ireland. The Ultramontane principle is not now, as in the time of Bossuet, a mere theological abstraction—a question of the limit of Papal power. That word is now the symbol of a creed which, to persons not under its influences, is one of the most objectionable that can be conceived, a creed which, instead of teaching that the Church is an equal, a co-ordinate, or even a superior power to the State, raises it above all temporal power and jurisdiction whatever, and views with dislike everything which tends to the improvement and welfare of mankind: it is to that power you are going to make this concession; it is to those elements of confusion and perennial discord that you are going to hand over the Catholic laity of

Ireland, if, indeed, you are in earnest. But you will, I hope, think better of it. You are throwing a little dust in men's eyes; you are not in earnest. Had you been, you would have gone first to those who are really powers—the Catholic priesthood themselves—and not to those who, as is very evident to anyone who knows aught about it, it is much more probable will reject your offer. From what seems to me to be the only boon Her Majesty's Government offers to Ireland I pass to what they will not do. They will not touch the question of the Established Church. Let me state how this question strikes a person with no feeling except the wish to do what is best for all parties. I regard this tenth part of the rent of Ireland as public property. I believe that this and the other House of Parliament and Her Majesty are trustees of that property, coming as it does from Irish labour and land, for the benefit of the Irish people at large. I believe that property is scandalously misappropriated and misapplied when it is applied exclusively to the support of the religion of twelve persons out of every 100 of the inhabitants of Ireland. I feel it is a disgrace and a degradation to myself to have anything to do with such a state of things. The House knows I have not joined in any common-place declamation on this subject. I wish to speak fairly of all men and all subjects; but this is a subject on which an honest man and a good citizen cannot speak too plainly. It is not merely the shocking neglect, it is not merely the disgrace to us in the eyes of foreign countries, it is not the utter impossibility of defending it before any assembly of gentlemen, unbiassed by familiarity with the monstrous injustice—it is not that. What I hate still more is this—it is the last and only relic of the iniquitous past of Ireland. I am not going to quote history. I hate mere historical speeches. What we have to do with is the present; that we can deal with—it is enough for us. It is not well to be for ever reminding the Irish nation that though we have broken so many fetters, this last, perhaps the most galling, exists still; and that, with all our professions of wishes to conciliate and do justice, we are unwilling to disturb it. If ever the occasion shall come when the House in its wisdom shall remove it, then I consider we shall have broken with the evil past of Ireland altogether. I consider we are conscience-clear of the wicked laws of 100 years ago, which Gentlemen yet debate with so much unction. It is for us to answer for our own misdeeds in this generation, and not for those of our great-grandfathers. Go back far enough, and there are plenty of things in the history of England—there have been cruel oppressions even in my own lifetime — which no man can justify — a barbarous criminal code, unjust civil and religious disabilities. This is the way to look at things; but when you are dealing with a susceptible people, and when you preserve still a monument of the oppression of past centuries, it is prudent, it is wise to sweep it away, and to take from those Fenians, whose real purpose is plunder, the last vestige of tyranny which furnishes their wretched excuse. As regards the laws of political economy, I believe they are the same on both sides of the Channel. As far as the right of private property goes, I would be no party to doing anything in Ireland I would not do in England. As far as civil and religious liberty goes, it is not because Ireland is a Catholic and England a Protestant country I will, with the (to me) hypocritical pretence of carrying out the wishes of the people of Ireland, bow myself and bow them down to an Ultramontane hierarchy; but in this question of flagrant and manifest injustice and inequality I think the House of Commons is championed to the utterance by the right hon. Gentleman opposite when he refuses to do anything; and I do hope we shall vindicate ourselves in response to the challenge. I do not feel any confidence that it is in the power of this House to obtain any grand material results. I believe that in this case the patient must minister unto himself. I do not sympathize with those Gentlemen who are perpetually looking out for an injustice done by this country in order that they may have the pleasure of redressing it. We cannot do much to remove material grievances, but we can remove moral grievances. I believe we can do something to allay the traditionary feelings of hatred bred in the minds of the people, and in doing that we can follow out the principle of an enlightened policy. At any rate, let us not do injustice ourselves, nor let anyone in Ireland do it—not the tenant against the landlord, not the Protestant against the Catholic, not the Catholic against the Protestant, nor the Catholic hierarchy against the Catholic laity. Let us do justice ourselves, and require justice to be done by others; and then, whatever come of it, we shall have satisfied the dictates of our consciences and wiped out the opprobrium which has too long rested upon us.

Mr. THOMAS HUGHES said, that the right hon. Gentleman who had just sat down had asked for one real Irish grievance which would bear sifting. He would endeavour to supply one at any rate. He could not but think that it was extremely desirable that Parliament should interfere at once for the settlement of the Irish tenant-right question. The Parliamentary blue books contained abundant information as to what tenant-right in Ireland really was, and what was the real grievance which caused disloyalty and disaffection. The question was not understood here as it was in Ireland, because we had mixed up with it the question of unexhausted improvements, which had nothing to do with it. Not to quote other witnesses of less authority, Mr. Trench, before the Committee of the other House last year, said it was a mistake to suppose that tenant-right was money paid for improvements made or supposed to be made by the outgoing tenant. It was dangerous to give a definition, but he (Mr. Hughes) would give this definition of tenant-right:—It was an immemorial custom prevailing in a great portion of Ireland, but not recognized as yet by Courts of Law or in the statute books, under which the ordinary tenant-at-will has acquired the right of selling, for a valuable consideration, the succession to his holding. He did not use the term immemorial custom in the old sense. Every lawyer knew that since the year 1832 the rule that a custom must have existed since the reign of Richard I. had been varied, and that, in order to obtain customary rights over property, it was now only necessary that they should have been exercised for different periods varying from twenty to eighty years. The evidence of the blue book he held in his hand showed that the practice of selling succession to a holding had existed for more than eighty years, and that the right belonged even to tenants-at-will. The Master in Chancery in Ireland, who had had most experience in dealing with land, in his evidence had expressed surprise that he had been unable to induce tenants to enter into written contracts with their landlords, and he had presumed the cause to be perhaps fear of expense, and partly fear of legal entanglement in some way. But the true reason was doubtless to be found in this custom of selling the succession. The man who was only a tenant-at-will in the eye of the law, had by custom obtained a *quasi* freehold property in his possession of this right, and it was natural he should be fearful of being deprived of it by signing a written agreement with his landlord. Custom had given the tenant a freehold estate, and he knew that a lease would vitiate his title. In England the absolute ownership of land was vested in the Crown, the *dominium directum,* as it was called; the right to have, hold, and enjoy, or the *dominium utile,* was vested in the landlord. In Ireland the *dominium utile* was divided between the landlord and tenant; but this division was not recognized by the Courts. Now as to the purchase of this right by the tenant for valuable consideration, Mr. Hamilton, in his evidence before the Committee, stated that an incoming tenant sometimes paid an outgoing tenant the fee-simple value of the land; Mr. Trench said that in his part of Ireland as much as from £6 to £12 an Irish acre was paid, and four land agents had stated that the sum payable for tenant-right was chargeable with all the arrears of rent which might happen at the time of the change to be due to the landlord. A custom which the carelessness, good nature, or advantage of the landlords had allowed to grow up and take such hold would, in England, have long ago been recognized on the statute book and by the Judges. But the custom not having been recognized, the tenants feel that they are entirely at the mercy of their landlords. That the right which existed in some parts of Ireland was valued by the tenants there was no dispute, and that it was for the benefit of the landlord was shown by the evidence before the Committee, to the effect that where tenant-right prevailed there were in the long run no arrears of rent. In a recent article in the great Conservative Review, supposed to be written by an eminent Liberal Member of that House, this payment for tenant-right was called levying black mail, or a payment by the incoming tenant to secure him from being shot from behind a hedge by the outgoing tenant, but they might just as well call rent black mail. It seemed to him that there was a practical and very simple remedy for the present state of things with regard to the land, so far as tenant-right was concerned. A custom had existed for generations in Ireland, but had not been recognised by the law, and it was admitted by the landlords and others that it could not be interfered with without very great danger to the peace of the country. Let this custom be recognised by law, and wherever tenant-right existed, let the tenant have that statutory protection which he did not now possess in selling that which was his own property. It might be said that this was an extreme measure; but a similar thing had been done in England in regard to copyholders. Previously to the recognition of the custom of copyhold by the Judges and the Legislature, the people of this country were in precisely the same position as the people of Ireland of the present day. The villeins held their estates absolutely at the will of their lords, who could evict them at pleasure; but after the copyhold tenure had existed for two or three generations the Judges held that the customary right of the tenants could not be interfered with, and when the barons or landlords endeavoured to evade the law by exacting arbitrary fines which made the custom valueless, the Judges again interfered, and insisted that the fines must be reasonable, and must not exceed two years' improved value of the land. This being the case, he felt that there was a fair claim on the part of tenant-right holders in Ireland to come to this country and say, "Do for us as your forefathers did for English tenants who were in exactly the same position that we are, and recognise by law a custom which has existed in the country for generations." Our object should be to make full citizens of the Irish people, to make them feel that they were in all respects just as favourably treated as their fellow-countrymen in England. But we could not expect that suspicion and discontent would vanish while the land was held upon its present uncertain tenure. It might be said in opposition to his suggestion that landlords would probably cease to reside in the country if this right were recognised; but the existence of the custom for generations had not led them to leave the country, and no such result had attended the parallel change in England. Even if by this legal recognition the landlords were deprived of certain advantages which they at present possessed, he believed they would be patriotic enough to continue their residence in the country for the advantage of the country. Again, it might be said that it would be inconvenient to have a double system of holdings, but no mischief had resulted in England from that cause, and if there were any slight difficulty on that account, it was not to be considered for a moment when it stood in the way of their doing that which was just and right. At any rate, if the landlords did not like to admit the custom let them buy it out. For himself he had, however, no great faith in improvement, such as we all wished for, under the old system. His only hope for the future of agriculture in Ireland lay in the principle of association. That principle, which had produced such immense results in other branches of industry, would prove not less satisfactory when applied to land. It had been already tried, indeed, in Ireland with great success. The published proceedings of a club called the "Artizan's Club," in the year 1846, contained a statement to the effect that Lord Wallscourt had made trial upon his estate in the North-west of Ireland of the system of associated industry in agriculture, by combining all his small con-acre tenants and agricultural labourers in the working of farms for their common benefit. By this operation Lord Wallscourt was said to have "stimulated the supine Irish tenant into active industry, and shed prosperity over a district formerly barren." The noble Lord himself wrote—

> "I have tried the plan for seventeen years, and found it answer much beyond my hope, inasmuch as it identifies the labourer with the success of the farm, besides leaving me at liberty to travel for a year at a time. On my return I found that the farm had prospered more than when I was present."

Upon some such system as that the future prosperity of Ireland must depend. It was all very well to say there were no real grievances in Ireland. Besides the grievance of the Irish Church, which was admitted, there was that of the land. He felt assured that if English tenants held under such a system as that which obtained in Ireland, they would be as disaffected as the Irish tenantry were at this moment. It was the duty of Parliament to look this difficulty of tenant-right manfully in the face. There was no need for loss of time in any further inquiry. Here at least was a grievance which might be dealt with at once. The Reports of the Earl of Devon's and other Commissions, the blue books, and the admirable pamphlets published by Lord

Dufferin and others, gave all the materials that anybody required for studying the subject theoretically. This he had taken some pains to do, though he admitted that he was not in a position to speak upon the subject with practical knowledge. He trusted that the effect of such changes as Parliament might introduce would be to give peace, contentment, and loyalty to the people of Ireland; but there would be neither peace, content, nor loyalty, while the question of tenant-right was left in its present position.

Mr. VANCE congratulated the right hon. Gentleman the Member for Calne (Mr. Lowe) on having with his usual ability dispelled the notion that there was any connection between Fenianism and the tenure of land in Ireland, or the disendowment of the Established Church. He had also to congratulate him that he had proved, almost to demonstration, the difficulty of having any laws respecting the tenure of land in Ireland different from those which prevailed in England. The hon. Member for Cork (Mr. Maguire) had said that great and organic changes must be effected by the Legislature for the benefit of Ireland, while the hon. Member for Londonderry (Sir Frederick Heygate) proposed a solemn inquiry. The Government were in favour of inquiry, but offered some legislative measures. During the past century there had been a vast amount of legislation for Ireland, affecting its commercial, its agricultural, and its ecclesiastical condition. Many of those laws had been beneficial, but others had led to such complication, and to such disastrous results, as should make the Legislature very chary of attempting crude, premature, or exceptional legislation at the present time. The right hon. Member for Stroud (Mr. Horsman) had stated that it was the penal laws which had inflicted upon Ireland the evils now existing. He (Mr. Vance) maintained that that result was due rather to the wrong way in which this country had gone about the abrogation of those penal laws. In 1783 an Act was passed which injudiciously conferred the franchise upon the whole population, and it was the perpetuation and extension of the 40*s.* freeholds which was, in his opinion, at the root of most of the evils of Ireland. The 40*s.* freeholder in Ireland, unlike the 40*s.* freeholder in England, was not required to be the owner in fee of the land; but upon swearing that the land, or the tenement possessed by him, was of the value of 40*s.*, he obtained the vote. The consequence was that the landlords multiplied this class of voters in order to secure Parliamentary support, and swarms of people were placed upon the land, which it was impossible they could effectually till. When that franchise was put an end to there was no longer any occasion for the 40*s.* freeholder, evictions commenced, and he (Mr. Vance) traced most of the miseries of Ireland to that source. Of course, the famine completed the catastrophe. He believed it was owing to the geographical position of Ireland that there had been no real union or amalgamation between the two countries. Irishmen came to this country, but few Englishmen went to Ireland. He agreed with the hon. Member for Cork that the Act of Union was carried by fraud and bribery; but, at the same time, he believed that that Act was essential to the maintenance of peace and tranquillity between the two countries. At the time of the Union one of the arrangements entered into between the two countries was that certain duties protective of Irish manufactures should continue for twenty years; and notwithstanding the deprecatory terms in which the right hon. Member for Calne (Mr. Lowe) had spoken of any attempt to advocate protection, he (Mr. Vance) did not hesitate to say that free trade had not served Ireland so usefully and beneficially as England. In fact, he doubted whether it had benefited her at all. When the Union duties were abrogated, and English manufactures were allowed freely to enter Ireland, there was a cessation of all that industry in silks, woollens, and cottons, which up to that period had flourished. Again, Catholic Emancipation was yielded under the influence of fear, not of reason, and the Duke of Wellington was indiscreet enough to say that unless emancipation were granted, rebellion and conflict could not be averted. Mr. O'Connell and other agitators finding that everything was conceded to fear and little to reason, immediately got up a very important agitation for the repeal of the Union, and thus kept the country in a state of ferment for many years. Then came the Reform Act of 1832. The democratic party in Ireland was very much increased by the Act of 1832. It was then found that a party of Roman Catholic Gentlemen would be formed in that House, with the balance of power in their hands, and that they would be able to obtain everything they desired. Though they had not been able to accomplish that, they had obtained a great deal of power by the plan they had adopted. The democratic party in Ireland had accomplished a vast amount of mischief in the way of Papal aggression. At the present moment there was an agitation—led in the Upper House by a statesman who was once Prime Minister — to put down the Established Church. But he believed Earl Russell had made a serious mistake in committing his views on the subject to the press, for everybody must remember that the noble Earl was the author of the Durham letter, in which he stated—"that the bulk of the nation looked with contempt on mummeries and superstition, and with the endeavours which were made to confine the intellect and enslave the soul." Yet, Earl Russell was willing to give to the religion which he thus described three-fourths of the Church endowment in Ireland, and give us members of the Established Church 2*s.* 6*d.* in the £ of our own money. His Lordship's scheme was one of simple confiscation, and the best of it was that those for whose benefit he intended it would not accept it. The property of the Church was too sacred to be dealt with in that manner, and such a mode of treating it would be in violation of that most solemn compact—the Act of Union. One of the fundamental articles of the Union provided that the United Church of England and Ireland should be one and indivisible, and it was held out to the people of Ireland by Mr. Pitt, that they would gain increased strength by uniting their Church with that of England. He came now to the repeal of the Corn Laws. The hon. Member for Cork (Mr. Maguire) had said that cereal crops had greatly diminished in Ireland, that in a great many counties the land had been turned into pasture-land, and this he attributed to a want of fixity of tenure. He (Mr. Vance) did not hesitate to attribute it to the repeal of the Corn Laws. He did not wish the House to re-enact those laws for the benefit of Ireland; but he thought they ought to trace Irish distress to its true source. A few years ago the Incumbered Estates Act was passed, but that was by no means an unmixed good. In many cases the land was purchased by men of moderate means, who paid as much as thirty, forty, and even fifty years' purchase for it; and then increased the rents. The new proprietors wished to make money out of the land, and many of the cases in which landlords had acted most severely towards their tenants had arisen on estates purchased in the Incumbered Estates Court. The circumstances of Ireland were badly understood in this country. With regard to the tenure of land, that must always be a matter of contract between the landlord and tenant. The relations between a landlord and his tenant might be compared to the relations between a father and his children. The very dependence of the children upon the father was one of the strongest reasons for his anxiety to protect them. If the tenant went to his landlord saying, "I shall take advantage of the law lately passed, and have compensation for past or future improvements," the relations of kindness and goodwill were gone. The landlord would take care of himself for the future, and would make such contracts with his tenants as would override any law that might be passed. The result would be continual litigation, distrust, and animosity, in place of the kindly relations which now existed in Ireland. In our legislation we had not yet infringed the rights of property; but a Tenant Right Bill such as many of those which had been proposed would infringe those rights, and the moment the Rubicon of right and justice was passed we should find the demands continue to increase until it would be impossible to comply with them without handing the property of the landlord over to the tenant altogether. In all our legislation we had not yet violated the Act of Union; but he did not hesitate to say that if we disendowed the Established Church we should destroy the compact existing between the two peoples—with what result he would leave the House to judge. He believed we should never regenerate Ireland by infringing the rights of property or by confiscating the Established Church, but only by inducing the people to see that the interests of landlords and tenants and of employers and employed were identical. We must increase the power of manufacture, extend our agriculture, hold the scales of justice fairly between all creeds and denominations, and satisfy the people of Ireland that they were not to be ruled by exceptional laws.

MR. JACOB BRIGHT said, that as one of the youngest Members of the House, he had no desire to take part in the debate; but as he had been personally alluded to by the hon. Member for Londonderry (Sir Frederick Heygate) on a former night, he wished to say a few words. That hon. Member had condescended to notice some remarks made by him a few weeks ago at a meeting held at the Town Hall, Manchester, and questioned the accuracy of the statement he made. He had not had the opportunity of hearing the speech of the hon. Member, for he happened not to be in the House when it was delivered. He therefore took the report contained in *The Times*. The hon. Member was reported to have said that he (Mr. Jacob Bright) stated that—

> "There were 1,539 parishes in Ireland each containing less than 100 inhabitants belonging to the Established Church, and that there were 199 parishes without a single member of that communion."

The hon. Baronet proceeded to say that if that were true it would be a very serious fact. Well, he did make that statement at Manchester, and he (Mr. Jacob Bright) was prepared to make it again that night. What he had said was perfectly true, for he had taken the trouble to consult the Census Report in the Library of the House, and found there was no mistake whatever in the figures. The fact was, that the hon. Gentleman had dealt with benefices, while he (Mr. Jacob Bright) had dealt with parishes. He did not know whether the figures of the hon. Baronet were correct; but if they were, they seemed to corroborate to a great extent the result at which he (Mr. Jacob Bright) wished to arrive—namely, the extreme scarceness of the Protestant population in the parishes of Ireland. The hon. Gentleman said—

> "There was a great number of parishes having only one benefice between them, there being in some instances sixteen parishes grouped together, in others thirteen, and in others again eleven."

He (Mr. Jacob Bright) wanted nothing more striking to establish his proposition than the fact that in order to get a Protestant congregation in Ireland they had to group together sixteen parishes; and the figures of the hon. Gentleman suited him better even than his own. Another important statement that he had made—a common but an important one—and which had not been impugned, was that the State Church of Ireland was in possession of one-eighth of the population of that country. Well, he contended that one-eighth of the population had no right to monopolize the ecclesiastical revenues of Ireland, and that for a sectarian purpose. He had listened with great interest to the speech of the noble Lord the Chief Secretary, which contained a great deal of very valuable information; but the noble Lord appeared to him to take much trouble to prove certain things which, when proved, would by no means serve the interest of the Government. The noble Lord contrasted the disaffection of the present day with the disaffection of past times, and said that in former days men of rank, influence, and wealth headed insurrectionary movements in Ireland, but now all that was changed. Well, it seemed to him (Mr. Jacob Bright) more easy to manage an insurrection so headed; because when there were prominent leaders you had only to secure those leaders, and you would greatly discourage, if you did not extinguish, the insurrection. But the noble Lord made a statement which, coming from the Treasury Bench, was of very great importance—namely, that the existing disaffection prevailed among the poorer class of cultivators, the farm labourers, and the artizans of the towns. It had been said that the nation lived in the cottage. If the nation lived in the cottage, and the cottage were disaffected, then it appeared to him that they had a disaffected nation on their hands. A most elaborate argument and array of facts had been brought forward by the noble Lord to show how great had been the material progress of Ireland. Well, he neither assented to nor denied it; but, assuming it to be true, still it seemed to him to place the Government in a greater difficulty than before. Why, it was the most remarkable thing in history that there should be that growth of disaffection among the humblest classes of Irish society side by side with the growth of material progress. It showed that the evils of Ireland were so deep-seated that none of the measures proposed by the Government on Tuesday night could possibly be deemed adequate to meet them. They had done either too much or too little for Ireland. If they persisted in perpetuating injustice upon a people, they ought to be careful not to put weapons into the hands of the victim in order to strengthen his contest against them. In the Southern States of America it would be remembered those who had determined to make slavery an enduring institution took pains to prevent the people being educated, and made it penal to teach a negro the alphabet. He held that, from their point of view, that was true statesmanship, and that they were acting in accordance with sound logic. But we maintained great grievances in Ireland, and at the same time instructed the people by admirable schools and a cheap press. We were doing one thing with the one hand, and another thing with the other. By the education and the information which we gave to a sharp-witted people, we armed them the better to combat any British Government that attempted to deny them justice. The noble Lord the Chief Secretary spoke with triumphant satisfaction on the subject of the representative institutions of Ireland, and said that country had its proper proportion of Members—that it had in the counties a franchise even lower than that which existed in England. But the noble Lord did not state to the House the position of the Irish tenant. Notwithstanding what the noble Lord said, he (Mr. Jacob Bright) remained of the opinion he had long held, that there was nothing in the world with the name of representative institutions which was so complete a mockery as the representative institutions of Ireland. The noble Lord did not tell them that, although the county franchise was lower in Ireland than in England, the vote did not belong to the Irishman, but that he was merely the nominal owner. And with respect to the borough franchise, if it were examined, it would be found to be a higher qualification than the English one if the difference in the value of property in the two countries were taken into account. Ireland wanted what England had wanted—a larger franchise, a proper re-distribution of seats, and vote by ballot; and until she obtained those three changes they could not have the opinion of the Irish people represented in that House. An hon. Member had observed that the representatives of Ireland were now very equally divided in opinion. That might be so; but he did not believe that opinion in Ireland was divided exactly as it was in that House. With a wider suffrage and vote by ballot, Irish opinion, he believed, would be so represented in that House that they might proceed in the work of Irish legislation with tenfold greater success than they were able to achieve now. They talked frequently of the influence and power of the United Kingdom, and there was not a subject of the Queen who did not desire to see that influence and power maintained and extended. It was often said to be of great importance to keep up the prestige of this country, when they considered the countless millions of different races whom they had to govern in distant parts of the globe. An argument in favour of the Abyssinian Expedition had been grounded on the necessity of maintaining that prestige; but if one thing could be more perilous than another to our influence in those remote countries, it would be to show them we were distracted at home. If the Imperial Parliament was unable to govern the United Kingdom so as to secure contentment, people might be led to doubt its ability to govern countries situated thousands of miles away. The proposals of the Government appeared to him the merest tinkering with a great question. Those who sat on his side of the House asked for religious equality in Ireland; but the Government refused altogether to touch the Established Church. On the other hand, the Government gave them some intimation that they might possibly make some attempt to produce that desired equality in the most undesirable way. He understood the noble Lord to say that the Government would be much more willing to elevate the other religious bodies than to level downwards. He believed himself that they must "level downwards." Both in Ireland and in this country public opinion was decidedly in favour of disendowing and disestablishing. Before the people of England would see another University of a sectarian character introduced into Ireland, they would try the plan of having every University in the United Kingdom thrown open, so that every subject of the Queen might fully enjoy their benefits without being required to take any test whatever. In conclusion, he might be allowed to remark that knowing as he did the extreme difficulty of passing great measures of justice throughout that House—for, though only a new Member of the House, he had been accustomed carefully to read the records of its proceedings—he rejoiced that a new political power had arisen in England, and that those who earned their bread by the sweat of their brow had been admitted to the franchise, even although the mode of that admission had been very extraordinary indeed. Whatever might be said of the faults and shortcomings of the working men of England, they, at any rate, had no vested interest in political injustice and wrong, and on the day of polling they would not cast their votes on the side of that Government which refused to abolish the Irish Church; they would support that Ministry and that party—no matter on what side of the House they were found —who would courageously and conscientiously endeavour to do justice not only to Ireland, but to the whole British Empire.

Mr. AGAR-ELLIS said, as nobody in that House generally acted more than he did upon the maxim that silence was golden, he trusted he might be permitted to offer a very few remarks. There had been many fearful attacks made on the Irish Church; but he could not understand the ascendancy of the Protestant Church, as it was termed, being so obnoxious to Roman Catholics. He thought that the payment of the tithe rent by Roman Catholics was a grievance; but that might be got over by making the rent-charge payable to the State, and the anomaly of causing the Irish people to pay for the Church of the few might be met by the payment of the Roman Catholic priesthood. It was said that they would not accept endowment. They, however, accepted it in other countries, and if they did not accept it in Ireland, they would then be responsible themselves for the continuance of the anomaly. The State should pay the Established Church, the Presbyterians, and the Roman Catholics in Ireland, and, moreover, there should be a real reform of the Established Church. If, as most people believed, it wanted cutting down, it should be cut down. With respect to the land question, he conceived that one strong argument against any Tenant Right Bill consisted in the fact that every side had tried to carry such a measure, and the only Bill that had been passed was that of the right hon. Member for Oxford (Mr. Cardwell), which was not compulsory, and had not been made use of a dozen times. The schemes of the hon. Member for Westminster and the hon. Member for Birmingham pointed at fixity of tenure for the tenants. Irishmen knew what fixity of tenure was. Before the famine men having long leases were certain of holding their land as long as they paid the rent. But how did they pay the rent? They sold acre after acre, and the result was seen in the famine years; and if fixity of tenure were now established the same result would ensue. He believed that the whole of the English and Scotch Members wished to do all they could for Ireland; but he was afraid of the adoption of the same sort of legislation as was witnessed last year. He feared panic legislation. The great measure of Reform was passed in a panic last year. This was the same House of Commons, and the same parties were in power, and he feared panic legislation for Ireland.

Mr. J. STUART MILL: It was with a feeling, I will not say of disappointment —because there can be no disappointment where there has not previously been hope —but of regret, that I witnessed the "beggarly account of empty boxes" which the Government has laid before us, instead of an Irish policy. My dissatisfaction was not so much with what they did, or what they refused to do, on the subject of the land—although I look upon that question as outweighing all the rest put together—and I believe that without a satisfactory dealing with it, nothing can be done which will be at all effectual. I am afraid the time is far distant when it would be fair to expect that a Government, and especially a Conservative Government, should be found in advance of public opinion—which I cannot deny that the present Government would be, if they were to propose such a measure on the Irish Land Question as I conceive would alone be effectual to settle it. But what we have a right to expect even from a Conservative Government, at all events from a Conservative Government which professes a Liberal policy—even with the qualifying adjunct, "truly Liberal"—is that they shall be on a level with the opinion of the people, and this they most assuredly are not, on the subject of the Irish Church. If there ever was a question on which I might say the whole human race has made up its mind, it is this. I concur in every word that was said, and every feeling that was expressed, by my right hon. Friend the Member for Calne (Mr. Lowe) on this subject, and I thank him from my heart for his manly and outspoken declaration in reference to that great scandal and iniquity, which was so well described by the right hon. Gentleman now at the head of the Government in a speech which, although last year he endeavoured to explain away, I am not aware that he has ever disavowed. It is an institution which could not be submitted to by any country, except at the point of the sword. Now, on this subject the Government have not shown themselves altogether inflexible. The noble Lord the Chief Secretary for Ireland has expressed his willingness in some degree to entertain the principle of religious equality, and

I thank him for it; but, as has been remarked by my hon. Friend the Member for Manchester (Mr. Jacob Bright), he proposed to do it—if at all—by levelling up instead of levelling down. The noble Lord is willing that every valley shall be exalted; but he does not go on to the succeeding clause, and say that every mountain and hill shall be laid low. So long as the national property which is administered by the Episcopal Church of Ireland is not diverted from its present purpose, the noble Lord has no objection at all to this country saddling itself with the endowment of another great hierarchy, which, if effected on the principle of religious equality, would be a great deal more costly than even that which now exists. Does the noble Lord really think it possible that the people of England will submit to this? I may be permitted, as one who, in common with many of my betters, have been subjected to the charge of being Utopian, to congratulate the Government on having joined that goodly company. It is, perhaps, too complimentary to call them Utopians, they ought rather to be called dys-topians, or cacotopians. What is commonly called Utopian is something too good to be practicable; but what they appear to favour is too bad to be practicable. Not only would England and Scotland never submit to it, but the Roman Catholic clergy of Ireland refuse it. They will not take your bribe. As in many other things I differ from the hon. and learned Member for Oxford (Mr. Neate), who moved the Amendment, so my opinion on the subject of Irish remedies is directly contrary to his. Whereas the hon. and learned Member thinks that the real obstacle to the peace and prosperity of Ireland is the proposal of extravagant and impossible remedies, my opinion, on the contrary, is that the real obstacle is not the proposal of extravagant and impossible remedies, but the persistent unwillingness of the House even to look at any remedy which they have pre-judged to be extravagant and impossible. When a country has been so long in possession of full power over another, as this country has over Ireland, and still leave it in the state of feeling which now exists in Ireland, there is a strong presumption that the remedy required must be much stronger and more drastic than any which has yet been applied. All the presumption is in favour of the necessity of some great change. Great and obstinate evils require great remedies. If the House does not think so—if it still has faith in small remedies, I exhort it to make haste and adopt them. It has already lost a great deal of time. Counting from 1829, which was the time when this country first began to govern Ireland, or even to profess to govern Ireland, for the sake of Ireland, thirty-nine years have elapsed, and during that time, although there may have been some material progress, as there has been everywhere else, moral progress, in reconciling Ireland to our Government, and to the Union with us, has not been made, and does not seem likely soon to be made, unless we change our policy. Hon. Gentlemen prefer to soothe themselves with statistics, flattering themselves with the idea that Ireland is improving, and that the evil was greater at some former time than it is now. My right hon. Friend the Member for Calne has told us that we have no occasion to care for Fenianism, and that it is nothing of any consequence. I do not suppose my right hon. Friend thinks that the remedies proposed by me or any one else for the benefit of Ireland are intended to conciliate the Fenians. I know very little of the Fenians. I do not pretend to know what their opinions are, nor do I believe my right hon. Friend knows them a bit better. We do know, however, that they desire what I greatly deprecate—a violent separation of Ireland from this country; and they desire this with such bitterness and animosity that there is no chance of conciliating them. But the peculiar and growing danger in the state of Ireland is this—that there is nearly universal discontent, and very general disaffection. Hon. Gentlemen need not flatter themselves that this is an evil which can be safely disregarded. Ireland has had rebellions before. As a rebellion this recent one is nothing—it is contemptible. A great deal has been said about the circumstance that no person of consequence, personally or socially, has put himself at the head of it. It was not likely that anyone who had anything to lose would do so. Is it within the range of possibility that an insurrection could be successful in Ireland at this particular time? What does Mitchel himself say of it? This is the reason why everyone who has something to lose (and everyone who is an occupant of land has something to lose) will not, until he sees a greater chance of success, countenance rebellion, or throw any other difficulty in the way of suppressing it than by sheltering from the police those who are involved in it. That is not the danger. The danger is one of which there is the strongest evidence. My own information is derived from many trustworthy persons, not of extreme opinions, persons whose idea of remedial measures for Ireland falls far short of mine, but who are unanimously of opinion that the state of Ireland is more dangerous at this moment than at any former period, and that the feeling of the people is one of general discontent and wide disaffection. Gentlemen who hold land in Ireland do not think so; but they would be the last persons to find it out. Persons in the possession of power are usually the last to find out what is thought of them by their inferiors. They, however, awake from their dream and find it out when they little expect it. There are two circumstances which make the disaffection more alarming at this time than at any former period since the Rebellion of 1798. One is a circumstance which has never existed before. For the first time the discontent in Ireland rests on a background of several millions of Irish across the Atlantic. This is a fact which is not likely to diminish. The number of Irish in America is constantly increasing. Their power to influence the political conduct of the United States is increasing, and will daily increase; and is there any probability that the American-Irish will come to hate this country less than they do at the present moment? The noble Lord the Chief Secretary for Ireland said truly that many Irish go to our colonies, and that they remain loyal. But why? The Irish who go to those colonies find everything they seek in vain here. They have the land—they have no sectarian church; they have even a separate Legislature. All this they have under the British Crown and the British flag. If you gave all this to Ireland the people would be tranquil enough there. They will be so with much less than that; but those who go to America, on the contrary, will be loyal only to the American Government, while their feeling towards England is, and must be, directly opposite to that of the Irish who go to Australia and the other English Colonies. That is one most serious cause of danger in Ireland. Another is that the disaffection has become more than at any former period one of nationality. The Irish were taught that feeling by Englishmen. England has only even professed to treat the Irish people as part of the same nation with ourselves since 1800. How did we treat them before that time? I will not go into the subject of the penal laws, because it may be said that those laws affected the Irish not as Irish but as Catholics. I will only mention the manner in which they were treated merely as Irish. I grant that for these things, no man now living has any share of the blame; we are all ashamed of them; but "the evil that men do lives after them." First of all, this House declared the importation of Irish cattle a public nuisance. When we refused to receive Irish cattle, the Irish thought they would slaughter and salt them, to try whether we would receive them in that shape. But that was not allowed. Then they thought that if they could not send the cattle or the flesh, they might send the hides in the form of leather. No; that was not allowed either. Being thus denied admission for cattle in any shape, they tried if they should be allowed to do anything with respect to sheep; and they commenced exporting wool to this country. No; we would not take their wool. Then they began to manufacture it, and tried if we would take the manufactured article. This was the worst of all. We compelled our deliverer, William III., of "pious and immortal memory," to promise his Parliament that he would put down the Irish woollen manufacture. This was not, I think, a brotherly course, or at all like treating Ireland as a part of the same nation. If we had been determined to impress upon Ireland in the strongest manner that she was regarded as a totally different and hostile nation, that was exactly the course to pursue. In fact, Ireland was treated in that thoroughly heathenish manner with which it was then customary for nations to treat other nations whom they had conquered—with the feeling that the dependent nation had no rights which the superior nation was bound to respect. It is unjust, however, to call that feeling heathenish, since it belonged only to the worst times of heathenism, before the Stoic philosophy—before the great and immortal Marcus Antoninus proclaimed the kinship of all mankind. From the year 1800, these things began to change; but down to 1829 it may be said that though in some sense we treated Ireland as a sister, it was as sister Cinderella — dust and ashes were good enough for her; purple and fine linen were reserved for her sisters. From 1829, however, we ceased to govern Ireland in that way. From that time there has been no feeling in this country with respect to Ireland, but a continuance of the really sisterly feeling which then commenced. Since that time it has been the sincere desire of all parties in England to govern Ireland for her good; but we have grievously failed in knowing how to set about it. Let me take a brief review of the things done for Ireland during that time. They may be easily counted. First, we made the landlord the tithe-proctor. That was a right thing to do; it prevented a great deal of bloodshed, and an enormous amount of annoyance and disaffection. I only wish it had been done before it became practically impossible to collect the tithes in the old way. But, after all, this was merely changing the mode of taking something from the Irish people: it was not taking less. Next, we gave to Ireland a really unsectarian education. Ireland, long before England, received from us an elementary education which came down to the lowest grade of the people; and by degrees she also obtained unsectarian education in the higher branches. This is the most solid, and by far the greatest benefit we have yet conferred upon Ireland: and this, if the proposal of the Government is adopted, we are going in a great measure to give up. In your difficulties this is what you are going to throw over. You are going, in a great measure, to sacrifice the best thing you have done for Ireland, to save the bad things. The third thing did more credit to our kindness and generosity than to our wisdom. It was the £8,000,000—ultimately amounting to £10,000,000—that we gave at the time of the Irish famine, for the relief of the destitution in that country. Nobody will say that we were not right to give it; but I do not think that a people ever laid out £8,000,000 or £10,000,000 to meet an immediate emergency in a manner calculated to do so very minute a quantity of permanent good. We were lavish in the amount that we expended. We certainly saved many lives—though there were probably a greater number that we could not save—and for that we are entitled to all credit. In a case of desperate distress there is in this country no grudging of money. All parties are united in that respect. But when circumstances obliged us to lay out this great sum, we had an opportunity of doing permanent good, by reclaiming the waste lands of Ireland for the benefit of the people of Ireland; and if we had done that, we should probably never have heard anything about fixity of tenure in the shape in which we hear of it now. At that time there was a sufficient quantity of waste land in Ireland to have enabled us to establish a large portion of the Irish population, by their own labour, in the condition of peasant proprietors of the land which they would themselves have reclaimed. We lost that opportunity, and we lost it for ever: because since that time fully one-half of all the reclaimable waste land which existed at the time of Sir Richard Griffith's survey has been reclaimed; that is, it has been got hold of by the landlords; it has been reclaimed for the landlords, mainly, or very largely, by the aid of public money lent to them for the purpose. Therefore, it is no longer possible to produce these great results in Ireland merely by reclaiming the waste lands. The opportunity lost never can be regained; and now, therefore, you are asked to do much larger, and as it appears to you much more revolutionary things. There is only one more thing that we have done which is worth mentioning, and that is the Incumbered Estates Act. The Incumbered Estates Act was a statesmanlike measure; it was a measure admirably conceived, and excellent, provided it had been combined with other measures. Even as it was, it was in many respects a very valuable measure. In the first place, it effected a very great simplification of title. In the next, it to a great extent liberated Ireland from the great evil of needy landlords. But there is another side to the matter. The Act has had another effect which was not, I believe, anticipated by anybody, at least to the extent to which it has been realized. It has shown to Ireland that there might be a still greater evil than needy landlords—namely, grasping landlords. Those who have bought estates under the Act are, I believe, in the great majority of cases, much harder landlords than their predecessors; and naturally so, because they had no previous connection with the localities in which the estates they have purchased are situated. They were strangers—I do not mean to Ireland—but to the neighbourhood of their new properties. Many of them came from the towns. At all events, they had no connection with the tenants, and did not feel that the tenants had any moral claim upon them beyond that claim—a claim they ought to have recognized, which all who are dependent upon us have over us. They bought the land as a mere pecuniary speculation, and have very generally administered it as a mere speculation. Not unfrequently the first step they took was to raise the rents to the utmost possible amount, and in many cases they have ejected tenants because they could not pay those rents. These, then, are the things that we have done since we began to do the best we could, the best we knew how to do for Ireland; and I do not think they are very well calculated to remove from the minds of the Irish people the bitterness which had been produced by our previous mode of Government. If you say that there was nothing better to be done, you confess your incompetency to govern Ireland. I maintain that there is no country under Heaven which it is not possible to govern, and to govern in such a way that it shall be contented. If there was anything better to be done, and you would not do it, your confession is still worse. But I do you more justice than you do yourselves. I believe that if smaller measures would have sufficed you would have granted them; and it is because smaller measures will not suffice, because you must have large measures, because you must look at the thing on a much larger scale than you now do, because you must be willing to take into consideration what you think extravagant proposals—it is because of that, and not from any want of good intentions, that you have failed. The present state of Ireland is, I hope, gradually convincing you, if it does not do so all at once, that you must do something on a much larger scale than you have ever acted upon before, whether the particular things proposed to you are the right things or not. It is under this conviction that I have thought it my duty not to keep back three-fourths of what I believe to be the truth in regard to Ireland, for fear of prejudicing minor measures which the very people who propose them do not expect to produce any very large results. As to the plan which I have proposed — and whether hon. Gentlemen think that it is right or wrong, surely they will admit that it is good to have it discussed—as to that plan, it seems necessary that I should in the first place state what it is; for it does not appear to have been at all correctly understood by most of those who have attacked it, and least of all by the noble Lord the Chief Secretary for Ireland. When I listened to his speech, I did not not know my own plan. It is evident that the arduous duties of his important position had not left him time to read my pamphlet, and he had been compelled to trust to the representation of some one who had given him a very unfaithful account of it. The noble Lord seemed to think that my plan was that the State should buy the land from the present proprietors, and re-sell or re-let it to the tenants. Now, I have said nothing whatever about buying the land. I should think it extremely objectionable to make that part of the plan. I do not want the rent-charge to be bought up by the tenants, because that would absorb the capital which I hope to see them employ in the improvement of the land. There is another mistake which seems to have been made pretty generally. Those who have objected to my proposal have always argued as if I was going to force perpetuity of tenure on unwilling tenants. I propose nothing of the sort. There are at present in Ireland a very great number of tenants who do not pay a full rent. The most improving landlords are precisely those who are the most moderate in their exactions. Now, it is an indispensable part of my plan that perpetuity should only be granted at a full rent—a fair rent, not an excessive, but still a full rent; and probably, therefore, many of these tenants will prefer to remain as they are. They might not do so if they were never to have another chance of gaining a perpetuity; but as according to my plan they would retain the power of claiming a perpetuity, at any future time, on a valuation to be then made, I think it extremely likely that many would wish to go on as they are. Many landlords, too, might prefer to arrange amicably with their tenants at something less than a full rent, in order to retain the present relations with them, and these, I believe, would be the best landlords, the most improving landlords, those who are on the best terms with their tenants, and whom it is most important to retain in the country. Many practical objections have been raised to the plan, to all of which I believe that I have answers; but there is a preliminary question that I should like to ask. Does the House really wish that these difficulties should be met? Because it is very possible that in the minds of hon. Gentlemen the question may be concluded and closed by a preliminary objection; such, for instance, as that it is an interference with the rights of property. If hon. Gentlemen are determined by this single circumstance—if this is enough to make them absolutely resist and condemn the plan—it is probable that they would be rather sorry than glad if it was possible to answer the practical objections and show that the plan would work; and in that case I cannot expect to have a very favourable or very unprejudiced audience when I attempt to answer them. And then there is another sort of preliminary objection: that which was made by my right hon. Friend the Member for Calne, in the name of political economy. In my right hon. Friend's mind political economy appears to stand for a set of practical maxims. To him it is not a science, it is not an exposition, not a theory of the manner in which causes produce effects: it is a set of practical rules, and these practical rules are indefeasible. My right hon. Friend thinks that a maxim of political economy if good in England must be good in Ireland. But that is like saying that because there is but one science of astronomy, and the same law of gravitation holds for the earth and the planets, therefore the earth and the planets do not move in different orbits. So far from being a set of maxims and rules, to be applied without regard to times, places, and circumstances, the function of political economy is to enable us to find the rules which ought to govern any state of circumstances with which we have to deal—circumstances which are never the same in any two cases. I do not know in political economy, more than I know in other art or science, a single practical rule that must be applicable to all cases, and I am sure that no one is at all capable of determining what is the right political economy for any country until he knows its circumstances. My right hon. Friend perhaps thinks that what is good political economy for England must be good for India—or perhaps for the savages in the back woods of America. My right hon. Friend has been very plain spoken, and I will be plain spoken to. Political economy has a great many enemies; but its worst enemies are some of its friends, and I do not know that it has a more dangerous enemy than my right hon. Friend. It is such modes of argument as he is in the habit of employing that have made political economy so thoroughly unpopular with a large and not the least philanthropic portion of the people of England. In my right hon. Friend's mind political economy seems to exist as a bar even to the consideration of anything that is proposed for the benefit of the economic condition of any people in any but the old ways. As if science was a thing not to guide our judgment, but to stand in its place—a thing which may dispense with the necessity of studying a particular case, and determining how a given cause will operate under its circumstances. Political economy has never in my eyes possessed this character. Political economy in my eyes is a science by means of which we are enabled to form a judgment as to what each particular case requires; but it does not supply us with a ready-made judgment upon any case, and there cannot be a greater enemy to political economy than he who represents it in that light. I will presume, therefore, that the House will not be unwilling to allow me to state what answer I can make to the practical objections to my plan. First, there is the objection founded upon the sacredness of property. That is a feeling which I respect; but the sacredness of property is not violated by taking away property for the public good, if full compensation is given; and the interference that I propose is not more an interference—it is not even so much an interference—with property, as taking land for public improvements. Then, too, a man's right to his property is sacred; but is not a man's right to his person still more sacred? And yet no man is allowed to dispose of his person—in marriage, for instance—except in such way as the law provides; nor will it allow him to relieve himself from the contract except on very special grounds, to be decided on by a Court of Justice. To those hon. Gentlemen who are fond of applying the term confiscation to the plan that I propose, I will say that I recal them to the English language. I assure them that it is possible to argue against any proposition, if need be, and to refute what we think wrong, without altering the meaning of words, by doing which people only succeed in imposing upon themselves and others. How can that be confiscation in which the "fisc" instead of receiving anything, has only to pay; by which no individual will be the poorer, but many, I hope, a good deal richer? It may be objectionable, but that is a matter of argument; it may be undesirable, because the case may not be deemed strong enough to require it; but let us fight against opinions from which we differ without extending the war to the English language. I recommend to hon. Gentlemen to be always strictly Conservative of the English tongue. I will now come to arguments of a more practical kind. I will first mention the strongest argument I have ever heard, either in this House or elsewhere, against my plan—namely, that if we substitute the Government in the place of the present proprietors, we shall expose the Government to great difficulties, and make it still more unpopular than it has ever yet been. I have two answers to make to this objection, and if hon. Gentlemen are not impressed by the one they may perhaps be convinced by the other. Undoubtedly, if the proposal is not received by the tenants as a great boon—if they do not think that perpetuity of tenure on the terms I have suggested is a gift worth accepting, then I admit that there is nothing to say in favour of my plan; it would be idle to propose it. If, when we offer to the tenantry of Ireland that which they desire more than anything else in the world—a perfect security of tenure—the certainty that they would never have more to pay than they paid at first—that everything which their industry produced should belong to them alone—if they do not think that a boon worth having, I have nothing more to say. But this is a most improbable supposition. A similar prediction was made about the serfs of Russia. Many people said and believed that the emancipated serfs would never consent to pay rent, especially to the Government, for land which they had been accustomed to receive gratis when in their servile condition. That was the general prediction; but we do not hear that that prediction has been fulfilled. Everything seems to be going on smoothly, and the serfs, as far as is known, pay their rents regularly. This, then, is one answer. I have another which is more decisive. If it is thought that it will not do to make the Government a substitute for the landlord, I answer that this is an objection affecting only a part of my plan, an additional provision, not for the benefit of the tenant, but for the convenience and consolation of the landlords—that they should be allowed to receive their rents from the public Treasury. If, after the rent is converted into a rent-charge, it be thought that the landlords should like other rent-chargers, be left to the ordinary law of the country to collect their dues, by all means leave them to the ordinary legal remedies. If it be thought injurious to the public interest to give this consolation to the landlords, then do not give it. So falls to the ground a full half of the dissertation of the right hon. Member for Calne on the fatal consequences of the plan. But I must say that I do not believe the landlords as a body would wish to exchange their present condition for that of being mere receivers of dividends from the State. I observe that those who argue against any plan supposed to be contrary to the interest of landlords, invariably assume that the landlords are destitute of every spark of patriotic feeling. I do not think so. I believe that a large proportion of the landlords would prefer to retain their present position; that they would make private arrangements with their tenants on terms more favourable for them than my plan would give, and that so Ireland would retain a large proportion of the best class of landlords. Another objection made against my plan is, that many of the holdings are too small. But Lord Dufferin states in his pamphlet that the consolidation of small holdings has ceased—that the number of separate holdings has not diminished in the last fifteen years. We may conclude from that that the holdings, generally speaking, are as large as is required by the present state of the industry and capital of Ireland; because, if that were not so, I cannot but believe that the movement of consolidation would still be going on. I perfectly admit that a great many tenants hold smaller holdings than could be desired. But if the holdings are so small that the tenants cannot live on them, and, at the same time, pay the amount of rent that would be required, they will soon fall into arrears; and, if they fell into arrears, it is a necessary part of my plan that they should be ejected. This would enable the landlord, if he thought fit, in every case of eviction to consolidate farms, and whether he did so or not, the consequence would be the substitution of a better class of tenants. It is part of my plan that the landlord, if the holding were forfeited by non-payment of the rent-charge, should choose the tenant's successor, and that the consent of the landlord should be necessary to any sale of the occupier's interest.

Another objection which has been urged is, that in Ireland lands held on long leases are always the worst farmed. Now, these are almost always old leases, granted to middlemen. These middlemen hold the farms at low rents; but I never heard that they granted leases at low rents to the sub-tenants; and who on earth would or could improve under competition rents? What interest has a man in improving who has promised a rent he can never pay, and who therefore knows that, lease or no lease, he may be turned out at any moment? If the farmers have undertaken to pay a rent equal to double what they make from the land, is it likely that they will exert themselves to double the produce merely for the benefit of the landlord? One of the most extraordinary circumstances connected with the attack made on my plan by my right hon. Friend the Member for Calne is that he went on ascribing all manner of evil effects to peasant proprietorships, and yet from the beginning to the end of his speech he never made allusion to any of the arguments in their favour. One would have thought that he had never heard the common and principal argument that the sentiment of property, the certainty that they are working for themselves, is the most powerful of all incentives to labour and frugality. This is the universal experience of every country where peasant proprietorship exists. And this brings me to the noble Lord the Chief Secretary for Ireland, who gave three reasons why peasant proprietorship is not desirable. These reasons were, that it does not prevent revolution, that it does not obviate famine, and that it leads to great indebtedness on the part of the holders. In regard to the first of these reasons, the case which the noble Lord appealed to, that of France, is certainly not in his favour, for in France the revolutions have not been made by the peasant proprietors, but by the artizans, all that the peasant proprietors have had to do with them being to put them down. Whether it was right or wrong—whether it was for good or evil to substitute the present Government of France for the Republic, it was the peasant proprietors who did it. As to the co-existence of great famines and small properties, the noble Lord was rather unhappy in the instance he gave of East Prussia, for it so happens that East Prussia is not a country of peasant proprietors, there being next to no small properties there. It is the Rhine Provinces of Prussia that are a country of small proprietors, and the noble Lord did not tell us of any famine there. With reference to the argument as to the indebtedness of the small proprietors, I rather think the noble Lord is indebted to me for one instance he gave—that of the canton of Zurich; but in adducing that instance he omitted to mention the testimony given, by the same author, to the "superhuman" industry of the peasant proprietors there. If we take the instance generally appealed to on this subject, that of France, M. Léonee de Lavergne stated some ten years ago that the mortgages on the landed property of France did not on the average exceed 10 per cent of its value, and on the rural property did not exceed 5 per cent; and he estimated the burthen of interest at 10 per cent of the income. He added that these burthens were not increasing but diminishing. It is true that this average is taken from all the landed properties in France, and not solely from the small properties; but the large proprietors must be very unlike other large landed proprietors if their estates are not generally burthened to at least this extent, so that the average is probably fairly applicable to the small properties. With regard to the danger of sub-letting, what motive would a tenant have to sublet? He could only sublet at the rent he himself paid, unless he had in the meantime improved his holding, and if he had done so he would have a good right to be allowed to realize his improvements, if he pleased, by sub-letting at an increased rent. It is thought that even if he did not sublet, he would sub-divide. But to suppose that sub-division would be general, is to ignore altogether one of the strongest motives that can operate on the mind. There is nothing like the possession of a property in the land by the actual cultivator, for inspiring him with industry and a desire to accumulate. It is not necessary to suppose that this influence would operate on the whole body of tenant proprietors. If it acted only on one-half, a great deal would be gained. Let hon. Gentlemen consider what an accumulation of savings there is in the hands of Irish farmers. I must say that it reflects great credit on the landlords of Ireland, taken as a body, that the tenants should have been able to accumulate such almost incredible sums as it is admitted that they have. Well, what is done with these savings? The farmer carries them anywhere but to the farm. They are invested in everything but the improvement of his holding; showing that the very landlords through whose forbearance these sums had been accumulated, are not trusted by the tenants; or, if they trust the landlord himself, they do not trust his heir, whom they do not know, or his creditor, who may come into possession, or the stranger to whom he may be obliged to sell. But under the small proprietary system, these sums would be brought out and applied to the farms, and there is enough of them to make all Ireland blossom like the rose. Tenants who had given such proof of forethought would be more likely to provide for their younger sons by buying more land, than by subdividing their own holdings. Moreover, it must be remembered that a bridge has now been built to America, over which the younger sons might cross. According to the testimony of Lord Dufferin, marriages are already less early in Ireland than they used to be, and many farmers have become sensible of the disadvantage of subdividing the small holdings. It may be thought that owing to the competition which exists for land, even those who hold at a full rent might be able to sublet at an increase, or sell their interest for a large sum of money. But even if this worst result should happen, the purchaser would even then be in as good a condition as the Ulster tenant would be if the tenant right which he enjoys by a precarious custom were secured to him by law: and this tenant right, even while resting only on custom, has been found to give a considerable feeling of security, and some encouragement to improvement. Then I am asked what my scheme would do for the agricultural labourers of Ireland? It would give to them what is found most valuable in all countries possessing peasant proprietors—the hope of acquiring landed property. This hope is what animates the wonderful industry of the peasantry of Flanders, most of whom have only short leases, but who, because they may hope, by exertion, to become owners of land, set an example of industry and thrift to all Europe. My plan is called an extreme one, but if its principle were accepted, the extent of its application would be in the hands of the House. Let the House look at the question in a large way, and admit that rights of property, subject to just compensation, must give way to the public interest. If the Commission which I propose were appointed, it would soon find out what temperaments might be applied in practice. I could myself suggest many such. I would not undertake that I myself would support them, but the House might. For instance, if it were thought that the holdings were too small, the holders of all farms below a certain extent might receive not a perpetuity at once but only the hope of it. Leases might be given to them, and the claim to a perpetuity might be made dependent on their, in the meantime, improving the land. Again, such a change as I propose is less required in the case of grazing than of arable land: confine it then, if you choose, in the first instance, to arable land, dealing with the purely grazing farms on some other plan, such as that of buying up such of them as might advantageously be converted into arable, and re-selling them in smaller lots. It is not an essential part of the scheme that every tenant should have an actual perpetuity, but only that every tenant who actually tills the soil should have the power of obtaining a perpetuity, on an impartial valuation. I believe that as the plan comes to be more considered, its difficulties will, in a great measure, disappear, and the House will be more inclined to view it with favour than at present.

Mr. GATHORNE HARDY: Sir, the hon. Member for Westminster has at considerable length, and with great ingenuity, entered upon the plan which he has published in a pamphlet, and which has been much discussed in the House. That is, indeed, very natural, considering the attack made upon his proposition by the right hon. Member for Calne. If the hon. Member for Westminster is correct in saying that Ireland is in a more dangerous or disaffected state now than at any previous period—if it be true that there is in America a large proportion of the population who have united with the Irish people in keeping up this disaffection, and encouraging it with all their endeavours, then I say it may be necessary to resort to some measure which I do not now like to contemplate. As far as I understand, the plan put forward by the hon. Member for Westminster in his pamphlet is one which he himself considers revolutionary in its dealing with the land of the country, and is totally different from any ever adopted in any other country. Supposing, then, that the owners should choose to select to accept it, and that those now holding their land without any leases, or who are tenants-at-will, were able to transform their holdings into permanent tenure—all those changes could be effected only with the view of conciliating and putting an end to that dangerous disaffection and discontent felt in Ireland, and which is also said to exist in what the hon. Gentleman calls the Irish nation in America. Sir, I do not believe, even if we were friendly to such a scheme, that it could be put in operation; nor do I think, if it even could be put in operation, that it would affect in any sense, as the hon. Member supposes, the great body of the population. If these designs he speaks of could be carried out, and if his scheme were admitted, which by a diminishing process in the course of his speech he gradually brought down to one part of Ireland only, dealing differently with grazing land from arable land, it might practically operate so as to deprive the most loyal subjects of their land, while it maintained the disaffected portion of the community in the land which they at present possess. I cannot but complain that a Gentleman occupying such a position as that of the hon. Member for Westminster should lend himself to the vague and unmeaning declamation of Irish agitation—declamation which carried us back to periods long passed and long forgotten by this House, except so far as to warn us against doing the like again, and inciting us to act upon the fraternal, or rather the sisterly feeling, existing since the commencement of the century, and which had been still stronger since 1829. Why did the hon. Gentleman go back to the time of William III.? Why did he not limit himself to the time of William IV., which was quite long enough to go back, and since which a great deal had been attempted on behalf of Ireland? I do not think the assertion of the hon. Member can be at all justified when he said that during the famine, if the money which had been collected in this country in aid of the starving people had been invested upon the improvement and settling of waste land, a much greater and more permanent good might have been accomplished. Now those who know Ireland must also know that there was not sufficient waste land then in Ireland to be cultivated to have created such a state of things as he described as possible. Again, when he complains of the present landlords, I say where are your instances? I have no doubt that, as in England and in Scotland, there may be exceptional cases of unfeeling landlords in Ireland. But I believe such cases are wholly exceptional. But when the hon. Member told us that the Government might become the landlords of the country, the admitted result of his plan would be that, if any tenant were in arrear, no mercy should be shown to him; he should be at once ejected, and the tender feeling that is supposed to exist between landlord and tenant—a sort of feudal feeling—would be abruptly extinguished. By the most harsh proceedings, the man who receives an estate with a guarantee for permanence of tenure is to be ejected if, under any circumstance, he falls into arrear, and to be thrown upon the world to seek for a livelihood. The hon. Member appears to approve of the Incumbered Estates Court; but he forgot to mention that the operation of that Act has been extended by the present Chief Justice to the Landed Estates Court, by which facilities for the disposal of land in Ireland had been created far in excess of anything that existed before. I believe that the estates are now disposed of almost invariably in lots, and in lots of such sizes as to be within the reach of tenants desirous to become proprietors. In this way the opportunity is afforded for the acquisition of land without our having recourse to the revolutionary schemes proposed by the hon. Member. And I should like to inquire why we are to suppose that the proprietors whom the hon. Member would create by a stroke of his wand would be gifted with all the virtues which the existing race of landlords are deficient in? I suspect that among the new creations would be found to be men of the like passions as their predecessors; that they would work very much in the same way for the accomplishment of what they thought to be their own interests, and whatever may be laid down by the principles of political economy—and I am sure that, at this late hour of the evening, I am not inclined further to discuss them—there has always been one principle by which the conduct of owners of property has been regulated—that is, to make the best of what they possess, to use their property as much as possible for their own advantage, and in following out that principle the interests of the landlord and the tenant are usually identical. With respect to what the hon.

Member said regarding the use, or abuse, of the English language, I find that the word "confiscation," to which he objects, has been very freely used with reference to this subject, and the employment of the word is not confined to those who are opposed in every material particular to the opinions of the hon. Member for Westminster. This very day a letter has been put into my hands, written by a gentleman whose authority the hon. Gentleman will, I am sure, readily acknowledge, a gentleman of great ability and singularly skilful in the use of the English tongue — Mr. Goldwin Smith. Now, Mr. Goldwin Smith uses this very word, which the hon. Member for Westminster seems to think is employed only by the opponents of all progress, and he says—

> "As to the land question, I have only to say that tenant right, to put it plainly, is illusion or confiscation; that in a case of extremity confiscation may be justifiable and necessary, but that the case of extremity must be proved, and that then, for the sake of morality, and to limit an exceptional measure to the need, confiscation should be called confiscation."

In fact, you may call it what you like—fixity of tenure, permanence of tenure, tenant right, or any other term; but if, contrary to the will of the owner, you take the land out of his possession, or do not allow him to deal with it as he pleases, it is, in point of fact, neither more nor less than confiscation. When the hon. Member further says, by way of argument, that a man is not altogether free to dispose of his person as he chooses in marriage, and that, therefore, his property may be justifiably subject to legal limitation or disposal, I must congratulate the hon. Gentleman upon his argument, but I do not think that it will be necessary to refute it. Sir, when the debate was opened this evening by the right hon. Member for Stroud (Mr. Horsman), I remembered that he was an old Irish Secretary, and I naturally listened to hear what remedies he was going to propose; so also when the question was brought before us by the hon. Member for Cork (Mr. Maguire) with all the fervid eloquence of his nation, as well as with great ability, I could not help feeling with respect both to that speech and the speech of the right hon. Member for Stroud, that the difficulty was to know the practical point at which so much eloquence was aimed. It is difficult to deal with a question upon a vague Resolution for going into Committee of the Whole House, and with no intimation before us of what we are to be asked to do when we get there. We are asked to inquire, to argue, and to discuss the whole wide question, in all its breadth, relating to Ireland, but without giving our attention to those details which, in such a case, are of the utmost importance. The hon. Member for Cork said that he would not make it a party question or a sectarian question, and that he had no desire to damage the Government; that it was a matter for quiet argument, and he invited the House to deal with it in that manner, and not in a way better calculated to rouse what I may call the spirit of old faction fights than to serve any practical beneficial purpose. The right hon. Member for Stroud also took care to remind us that any statesman who deals with this question must elevate himself above former times — must get out of the old ruts. But what did he do? Why the right hon. Gentleman forthwith began to start his own team, and jolted us over all those very old ruts, and almost shook us to death. He treated the familiar topics — the unsectarian education, the Irish Church, the land question—not for the purpose of showing what ought to be done, but merely to illustrate the conclusion at which he finally arrived, that a solution must be immediately arrived at somehow or other. Sir, I must say that I rather object to treating the question in that way. I have observed on other occasions that people will sometimes discover all on a sudden that some particular question must be instantly settled, and that anything that sounds at all like a settlement must be adopted. More than one instance of this sort has fallen under my notice, when Bills had been brought in and read a second time under the influence of this feeling, which upon examination in Committee have been found to be wholly unsuited to the requirements of the case. I must say that I was rather surprised that the right hon. Member for Stroud, who, as a former Secretary for Ireland, must have been accustomed to look at these questions in a practical statesmanlike manner, should come down and use so many vague expressions as he has done to-night — expressions, I venture to say, suited rather to the platform than to the floor of the House of Commons. For instance, he declared that the Government of Ireland was a Government of "fear and force." Now, is that an accurate description of the Government of Ireland?

MR. HORSMAN was understood to intimate that he had used the expression in a modified sense.

MR. GATHORNE HARDY: I understood the right hon. Gentleman to base the observation upon the circumstance that the Habeas Corpus Act had been suspended. He said in effect—Look at what you are doing; Look at the mode in which you are governing Ireland by such coercive measures. Now, if there is one thing plainer than another, it surely is this, that, as the right hon. Gentleman the Member for Calne well said, the suspension of the Habeas Corpus Act is not a coercive but a protective Act. It is, no doubt, coercive against brigands; but it is protective for honest men. It does not interfere with the agriculture, the trade, the commerce, or the religion of Ireland; nor does it affect any person who is loyal and well affected. There is no deprivation of any person's liberty, except he be one of those whose object is treason and sedition. In Ireland, as in England, every man is free to employ his time, his labour, his money as pleases him best; and I cannot help saying that when I see Irishmen in England living under our laws, working for our people, and earning their bread of them, and yet engaged in a conspiracy against the country that gives them shelter and a livelihood, it does strike me as one of the most fatal signs of a population tainted and infected, not by real grievances, but by some wrong suppositions that have been implanted in their minds. I feel as the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), who spoke in eloquent terms last Session of the disgraceful invasion of Canada, where a peaceful and contented province was wantonly invaded by men who, to wound the Imperial power, did not scruple to bring upon innocent families ruin and desolation. Well, the right hon. Member for Stroud told us that we must put an end to our Government of "fear or force" by passing conciliatory measures, and that we must not trust to "agitators and quacks." Now, Sir, looking at the variety of opinions that have been expressed with regard to Ireland, I cannot help saying that I do not know any country that has suffered more by "agitators and quacks" than Ireland. I know I shall be told that no agitation ever yet existed without some real grievance. But I reply that an agitation may be altogether disproportioned to the dimensions of the grievance, and that it may go far beyond those constitutional limits within which agitation is legitimate and salutary. Sir, this is no new question. In 1843 the same Motion was made that has been made by the hon. Member for Cork. It was then proposed by Mr. Smith O'Brien; a discussion of four or five nights followed on the same topics, and almost the same objections to English Government were made then as now, such as absenteeism, undue taxation, and the want of expenditure of public money in Ireland upon docks and ports. I may observe that on this latter point the hon. Member for Cork was especially emphatic in demanding that the terms of the Union should be fulfilled. Under the Union it was intended, said the hon. Member, and promised that there should be a dock at Cork, and that promise must be redeemed or the Union is practically at at end. That is all very well, and we shall find, no doubt, when the Union is wanted for some other purpose, how ready the hon. Member will be to admit the force of his arguments. When he is talking of the dock at Cork the Union is everything; when the maintenance of the Irish Church is in question it becomes utterly insignificant. But to return to what I was saying —In 1843, when the question was brought forward by Mr. Smith O'Brien, the right hon. Gentleman the Member for Stroud had not been Secretary for Ireland. Lord Russell, in speaking on the question at that time, referred to the agitation for the repeal, to the possibility of an invasion of our Canadian frontier from America, in much the same way as they have been referred to in the course of this debate. He dwelt upon the danger which would result from delay, and insisted upon it that no time, not even an hour, ought to be lost before passing measures for the benefit of Ireland. And yet how many years had since elapsed? For how many years were Lord Russell and the right hon. Gentleman in office without proposing those measures which were so imperatively necessary that each hour's delay is supposed to have increased our danger, and added to a disaffection which I believe to have been greater at that time than it is at present? The right hon. Gentleman apparently threatens us with a renewal of the agitation of 1843 if we do not do what he says; but if we adopt the course he recommends, inasmuch as it is vague, shadowy, and unpractical, he does not hold out any hope of our escape. The statements of the hon. Member for Westminster are most exaggerated, and my noble Friend has shown that Ireland is steadily, if not rapidly, progressing in material prosperity, and when it is considered that it is an agricultural country, its prosperity could not be expected to advance rapidly; but it is a perfectly steady and natural improvement. Now, with respect to the present condition of Ireland, I have heard that one of the Judges in going circuit, had made inquiries of the sheriffs and others, and they had informed him that they never remembered a period when rents were so quietly and regularly paid as they had been during the past year, and that there was never less crime in the country than at present; and further, I have been informed by a gentleman who has recently come over from Ireland, that he never remembered his district so free from alarm as at present. I have heard of a gentleman when about leaving Tipperary for England being told by one of his tenantry, "Well, Sir, I hope I shall see your honour back again, for you are going to a very dangerous country." Showing that the alarms of what has occurred here have had a greater effect upon the Irish people than the inhabitants of this country. I venture to state that the disaffection in Ireland has not been so universal as described by the hon. Gentleman the Member for Westminster. There have been no signs of it in the rising that has taken place. It is manifest that that rising was one of foreign importation, there being no real leaders of the people to be found connected with it. A disaffection without leaders and without money need not be looked upon with so much apprehension as when there are leaders of influence with money, such as there have been on previous occasions. I am anxious not to detain the House on what I consider to be the fringe of the subject, because the hon. Member for Westminster has done ample justice to all concerned in stating that all have been animated with the same intention—namely, that of giving peace and prosperity to Ireland. I wish to come to the measures which the Government intend partly to bring forward in the House and partly to deal with externally. I take it that any man who was convinced that certain measures would effect the cordial union of Ireland with England would be willing to yield any prejudices opposed to them; nay he might even strain his principles for such an object, but he must believe that it would be realized by such plans, and because I do not believe that the measures proposed by hon. Members opposite would attain that result I do not support them. With regard to the subject of education, the right hon. Gentleman the Member for Stroud spoke of it in somewhat a wrong sense when he said the system adopted in Ireland has been carried on by laymen in opposition to the priesthood.

Mr. HORSMAN: I said that at its commencement it was carried out by laymen against the wish of the priesthood.

Mr. GATHORNE HARDY: Well, all I can say is, that out of 6,000 schools, 4,000 of them are under the government of the priests; and not only that, but the mixed education to which the right hon. Gentleman refers does not exist to anything like the extent he supposes. In fact, the system has gradually become denominational. From the time that the Board began to sanction the omission of what were called Scripture lessons, when convent and monastery schools were admitted, they practically decided that the system should be denominational, and from the time that the Presbyterians joined it the schools became as practically denominational as they could be. When you find that what is called a mixed system is mixed in this sense only—that in Roman Catholic schools there are one or two Protestant children because there are no Protestant schools to go to, and in Presbyterian schools a small number of Roman Catholic children; that where denominations exist in sufficient numbers different patrons have been appointed to different schools of different religious bodies, expressly that each may have a school of its own, and that the schools are, as a matter of fact, carried on as denominational schools, that proves that the clergy of all denominations have alike felt that it is most desirable that education should be provided as far as possible in a denominational form; and that, when it can be done without interfering with the rights and privileges of others, that system recommends itself to the minds and feelings of the people. Then when we come to the next step in education we find the same feeling prevailing without the same means of giving effect to it. Trinity College, Dublin, always most liberal, was long ago extended so as to admit Roman Catholics, and, recently, scholarships open to Roman Catholics and Dissenters have been founded. Out of the twelve scholarships eight only have been filled up, and from that I take it, it may be fairly presumed that Roman Catholics and Dissenters do not come in large numbers, but prefer Colleges of their own denomination, or founded on different principles. The Roman Catholic University exists; but it is not an University in the ordinary sense of the term. It was called an University in the hope of its obtaining a charter; and now the right hon. Gentleman the Member for Calne attacks the Government on two points. First he says the Government acted wrongly in not consulting the Roman Catholic prelates, and again that they behaved worse in toadying to those Roman Catholic prelates. It was due to the House and to ourselves that our proposals with respect to University education should be made, on our responsibility, in a form acceptable to the House and also to the Roman Catholics of Ireland; and we propose not to adopt that which exists, but, with a considerable admixture of the lay element in the governing body, to give to a Roman Catholic University a charter and admit Roman Catholics to the education they desire. Does any one mean to say the Catholics of Ireland go freely to the Queen's Colleges? I do not believe that those who go there represent the classes who would send their sons to a Roman Catholic University. For myself I have always preferred a denominational system, whether of private or advanced education; and I am now supporting for Roman Catholics that which I would prefer for Protestants. I believe it would have been better if, when the Queen's Colleges were founded, instead of being made unsectarian, two had been founded for Roman Catholics and one for Presbyterians. If our plan interfere with the Queen's Colleges it will be because they are not in harmony with the feelings of the people. If they are they will maintain their ground. With respect to Trinity College, my opinion is that I think it is most desirable to keep it in its present position, so far as the governing body is concerned, because I believe it cannot be conducted better or more fairly and liberally. It may be said we shall have too many Universities in Ireland; but Scotland has four; and though we may desire to make two Universities in Ireland meet the wants of all, I am not sure it would be wise to do it, for we cannot deal with the Irish people as if they were chessmen, and place them where we wish. In spite of the want of endowment there has been founded a College which has cost £125,000, and has been maintained at great cost. That shows there is a need for such an institution; and I believe it will meet the views of the Roman Catholic laity, as well as the clergy, if degrees can be obtained there by Roman Catholics without their being associated with any but themselves. With respect to Germany, I find that Dr. Döllinger said that, notwithstanding the great University of Berlin, one of the finest established, the other Universities, which existed in such great numbers, had many of them risen to a very high standard, in consequence of the very competition which has arisen. It therefore seems from experience that we have nothing to fear for the success of a University established on the principle we propose. We do not, as was supposed, suggest a merely clerical University. If the Roman Catholics will not take that essential part of our proposal—a lay foundation with an ecclesiastical admixture—then I cannot say that I should be prepared to accede to it. Now, with respect to the Irish Church, I have not hesitated on former occasions to express my opinion upon this subject. We admit that at this moment no scheme has been proposed with respect to it. It is supposed by the right hon. Member for Calne that we (the Government) last year issued a Commission to inquire into the state of the Irish Church spontaneously. The fact is, a proposition was made by Earl Russell, and it remained on the Notice Book of the House of Lords for some time before it came on in the shape in which it was eventually passed, and it was only a few days before it was actually discussed that Earl Russell added a few words which gave it a different complexion, proposing that the revenues should be applied "for the practical benefit of Ireland." But the House of Lords decided that the Commission should issue in the form which had been originally proposed by Earl Russell. Now, when he made the proposition the noble Lord either thought inquiry necessary, or he did not. If he did, the investigation, in the very mode in which he originally applied for it, is proceeding at this moment. If he did not think inquiry necessary, then the object of his original Motion is inconceivable to me. But I find that Earl Russell himself, in a new edition of his work of 1823, made some most extravagant mis-statements — unintentionally, no doubt—which were fully corrected in many pamphlets and many letters. And it is not unlikely that, finding himself thus in error, he wished for accurate information, and therefore proposed this inquiry. Some remarks have been made about the proceedings of the Commission. It is evident, however, that such a Commission cannot engage in the collection of information upon the spot. It therefore appoints sub-Commissioners, and issues queries to obtain the desired information, and until answers are returned to these circulars their meetings, of course, must be few in number, and without results till they have something practical before them. We have been called on by the hon. Member for Cork, in the strongest language, at once to disestablish and disendow the Established Church in Ireland. When you talk of a revolution of this kind we are at least entitled to ask upon what principles it shall be conducted. How are we to deal with the manifold interests concerned, and when we have obtained the money what are we to do with it? The hon. Member says, "I will tell you nothing of what is to be done with the money, but place yourselves at once in possession of the funds." I do not think we should be wrong in describing the process which is thus recommended to us in the terms which the hon. Member for Westminster applies to the change advocated with regard to the land. But surely we have a right to know beforehand that when the funds are acquired they will not be applied to a worse purpose, for there may be worse probably even in his view. The hon. Member for Cork even declines to give us that simple assurance. This question is one that has been brought again and again before the House since the year 1834. As I understood the right hon. Gentleman the Member for Stroud, he wishes that there should be a renewal of the tactics of that day. He wishes that we should affirm a principle. But that is precisely what was done before. The principle of appropriation was affirmed then, without any practical results; and now we are, in the name of religious equality, invited to take the same course over again. I really think we ought to have a Parliamentary dictionary to give us definitions of these phrases, for really "civil and religious liberty" and "religious equality" are used so freely and vaguely that it is difficult to ascertain what is meant by those who employ them. Does the right hon. Gentleman mean that "religious equality" in Ireland is to be attained by the disendowment and abolition of the Established Church in that country, but that "religious equality" is to be preserved and maintained in England and Scotland without any similar disendowment and abolition? As I understand it, it either means religious equality for every individual, or it means nothing at all; for if you are to pick and choose in the matter, you are not carrying out the principle. There is a society in England—the Liberation Society—which would carry out the principle in its integrity, both in Scotland and in England. But when I am told that in one country I am to act on one principle, and in another on a principle totally different, I want to know why there should be one rule for Ireland, and another perfectly distinct for England and for Scotland? The right hon. Gentleman opposite (Mr. Gladstone) whose opinion must have great weight, spoke on this question in 1865. He spoke very temperately, though I am bound to say he expressed great dissatisfaction with the position of affairs. It was on the Motion of the hon. Member for Swansea (Mr. Dillwyn), declaring that the present position of the Irish Church called for the early attention of Her Majesty's Government. That is precisely what is said to us now. And not only is it said that it calls for the "early" attention of Her Majesty's Government—that is to say, within the next year, or the next five months—but we are told that we must not lose an hour. The noble Lord in "another place" says, "Don't listen to them if they want an hour; let them immediately affirm the principle." But when the Motion of the hon. Member for Swansea was before the right hon. Gentleman who then had the grave responsibility of dealing with it, he did not dispose of it in this summary manner. I trust the House will permit me to quote the words of the right hon. Gentleman the Member for South Lancashire, which seem to me a temperate and fair statement of what a Government should do. Speaking in 1865, and having assented to the first part of the Motion then before the House, the right hon. Gentleman said—

"With regard to the second, I think that I am not only not required by the fulfilment of duty, but that it would be a departure from duty on the part of Her Majesty's Government if they were to assent to the Motion, unless they were prepared to grapple with this great problem, of which the hon. Gentleman the Member for Leominster has shown us the difficulty, and to bring this Session, or, if not this Session, still very soon, before Parliament some plan for the purpose of removing that unsatisfactory character of the condition of the Irish Establishment which we should have joined in asserting."—[3 *Hansard*, clxxviii. 422.]

Then, after a long statement, he added—

> "All this I say without in the slightest degree being able to point out, any more than hon. Gentlemen who have preceded me have pointed out, what ought to be done with respect to the Church of Ireland."—[*Ibid.* 430.]

We must remember that this question had been before the country, and that the right hon. Gentleman had been a Member of this House and of successive Governments since the year 1841. He must therefore have had the question constantly in view. It is one that must have been pressed upon his attention at the time when Ireland was said to be convulsed from one end to the other. And yet, speaking in 1865, more than twenty years afterwards, the right hon. Gentleman says that this problem has not been solved. He goes on to say—

> "Above all, I dwell upon this fact, that neither the hon. Member who moved the Resolution, nor the hon. Member for Tralee, who seconded it, while they described the existing evils in terms of a sufficiently strong nature, pointed out a remedy. The whole question is, what is the remedy?"—[*Ibid.* 431.]

That I entirely concur with. And I must say that those who bring forward this question are bound, not merely to declaim against the Church and call for its disestablishment and disendowment, but they are bound to lay something like a scheme before us for the solution of the problem. The right hon. Gentleman pursues his argument thus:—

> "We no sooner come to look upon this question practically than we light upon a whole nest of problems of the utmost political difficulty. . . It is a serious thing for Governments to deal lightly with such questions. . . . It would be their duty to consider—whether surplus or no surplus—what obligations of the Act of Union remain to be fulfilled, and how they ought to be performed. It would be their duty to consider whether in the event of any change, any modification, in the Established Church, the property of that Church ought to be applied in one way or another."—[*Ibid.* 431-3-4.]

Sir, at this very moment Lord Russell's Commission is inquiring into the question whether there is a surplus or no surplus. Then, declining to vote with the hon. Member for Swansea, the right hon. Gentleman gave as his reason for taking that course that to act otherwise would be to run the risk of committing in the eyes of the country "the gravest offence"—

> "Giving a deliberate, a solemn, promise to the country, which promise it would be out of our power to fulfil."—[*Ibid.* 434.]

Now, Sir, I say with respect to the Church in Ireland, that as far as I am concerned I am not prepared at present to say that there is a surplus to be disposed of, or how the Church property should be dealt with if there should be such a surplus. I do not think I am called on to make such a statement. With respect to the main question, I would say that although persons, who are called on to look at things in which the hopes and the happiness of the country are at stake, may be compelled to give up some of their predilections in case of necessity, yet, even if we were to assent to a Resolution at this moment for the disestablishment of the Irish Church—a piece of political baseness and cowardice unequalled in the annals of the world—I believe that, so far from conciliating the people of Ireland, this would only be made a standpoint for further demands upon us. And I for one, therefore, am not prepared to make any proposition to the House upon the subject. The terms of the Union are important in their bearing on this subject, and though I agree with the hon. Member for Cork that those terms are not absolutely closed for consideration; yet, as Sir Robert Peel said—

> "That is a question which must be approached with great caution and care, and though he was not prepared to say that nothing should be done in the matter, yet it must be the gravest necessity which would justify any alteration in the Union."

I may say that I am not prepared to redress what was called by hon. Gentlemen opposite a moral grievance by what I think would be a moral wrong to a great portion of the people of Ireland, and an unjustifiable attack on their most dear and most cherished interests. And now I come to the land question, on which it will not be necessary for me to dwell at any length, as the right hon. Gentleman the Member for Calne has left but little to be said on the subject. But when there is this general attack upon predatory landlords it may be well to remind the House that there are such beings as predatory tenants, whom it is impossible, with any advantage to the landlord, to keep upon the land which they scourge into barrenness. With respect to the mode of dealing with the land question, my noble Friend has said that he is prepared to bring forward a measure which, I think, on one point at all events, must be of great advantage to Ireland. Great difficulty arises in consequence of the parole tenure by which so many tenants hold their land, and my noble Friend proposes that certain rights should be taken from the landlord who does not enter into a written agreement. This will surely put the tenant into a position to protect himself from any landlord. Means will also be devised for ascertaining at the time that they are made what improvements are made, because it is evidently difficult, as Lord Dufferin has justly remarked, to ascertain afterwards the labour expended on some kinds of improvements; such, for instance, as the removal of stones from the land. I do not myself believe that Ireland is a country in which small culture will ever prevail to any great extent with advantage to the people who practise it. In a humid climate like that of Ireland corn growing must be always carried on under considerable difficulties, and I do not think you can ever have what I call small culture as regards grazing land. And if small culture is to fall back into potato growing, the country would return to a state of things which previously ended in famine. Upon all these questions, however, the Government is pressed to proceed with great haste and great vigour, and it certainly seems to me a little unreasonable that this pressure should be put upon us. We have held office for only a comparatively short period; and yet we have been asked to deal not only with great Imperial questions, as we have done with the Reform Bill of last year, but with a variety of details, and we are told that we ought to introduce measures with respect to the land, the Church, and education, which would entirely revolutionize the institution and laws at present in existence. And who is the principal person who makes this demand? It is Earl Russell. But Earl Russell in the year 1865 condemned, in language far stronger than any that has been used in this House, the proposal which he made in 1867. In 1865 Earl Grey made the same proposal which is contained in the recent pamphlet of Earl Russell, who at the time scouted the project as one which would cause more evil that anything that it could possibly remedy. The next year, however, Earl Russell was out of office, and adopted in the House of Lords that very system which he had condemned in 1865. He has been in office some thirty years, but during that time he never took any steps in accordance with any one of the propositions which he now makes in his pamphlets and speeches on this subject. And yet the noble Earl calls upon the House of Commons not to permit the Government a minute's delay. He says, "If they ask you for an hour, do not attend to them, but carry out your opinions"—opinions which the noble Earl himself has not attempted to carry out, and which up to 1866 were exactly contrary to those he now would force upon us. Are we to derive our teachings from the noble Earl, or are we to be guided by the same rules of prudence which he says prevented him for years from grappling with the questions which he now wishes to settle. My noble Friend (the Earl of Mayo) has, in conjunction with the other Members of the Government, conducted the affairs of Ireland with impartiality as regards men of all creeds and opinions. This, I believe, is universally acknowledged both in this House and out of doors. We have carried out the law impartially wherever it has been violated, and we have endeavoured to do justice to all. These, Sir, are the principles upon which the present Government have acted throughout, and when they were obliged to ask for the further suspension of the ordinary protection of the liberty of the subject, the necessary powers were conceded, not after a heated debate and a division, but with the unanimous consent of the House, because it was felt that the manner in which my noble Friend had exercised the powers entrusted to him entitled the Government to the further confidence of the House. The suspension of the Habeas Corpus has been acted upon without a desire to injure anybody; and, indeed, the persons apprehended have, with hardly an exception, been set at liberty on their promising to leave Ireland. In this country, where the ordinary law alone has been enforced, the people in general have shown a firmness and a loyalty which justify me in saying that however Fenianism may by isolated acts of violence disgrace the cause of Ireland in England, a check has been put upon it which must prevent it from perpetrating anything more than those isolated deeds of wickedness. As to the proposal of the Government with regard to the gift of a charter to the Catholic University, I have already said that we shall not take any steps in the matter without previously consulting the House. As to the land question, there will be an opportunity for its discussion when my noble Friend brings forward his measure. And I trust that before the Commission which will be appointed most of the misapprehensions and calumnies which have been made the foundation of attacks upon the landlords of Ireland and of arguments in favour of a revolution in the tenure of land in that country, will be set at rest by a collection of facts which will show that the landlords of Ireland have done and are doing their duty in improving the condition of the country. In conclusion, I must express a hope that the House of Commons will go steadily on with measures of amelioration—moderate and judicious measures — instead of resorting to revolutionary enactments which, while they would fail to give satisfaction to those who are bent on disloyalty, would alienate the feelings of all those who have been the most attached friends of the country; and I refer not merely to those who, I regret to say, have been unwisely termed a garrison and an army, but to all loyal men in the country. If it pursues such a course as I recommend, the House will give satisfaction to them, without injuring the position either of England or of Ireland by such revolutionary measures as are proposed by the hon. Member for Westminster.

MR. CHICHESTER FORTESCUE moved that the debate be adjourned until to-morrow.

Debate *further adjourned* till *To-morrow.*

RENEWABLE LEASEHOLD CONVERSION (IRELAND) ACT EXTENSION BILL.

On Motion of Mr. GREGORY, Bill to extend the provisions of the "Renewable Leasehold Conversion (Ireland) Act" to certain leasehold tenures in Ireland, *ordered* to be brought in by Mr. GREGORY and Mr. GEORGE MORRIS.

Bill *presented,* and read the first time. [Bill 61.]

House adjourned at Twelve o'clock.

HOUSE OF LORDS,

Friday, March 13, 1868.

MINUTES.]—SELECT COMMITTEE—On Tenure (Ireland) *appointed.*

PUBLIC BILLS—*First Reading* — Poor Relief* (39).

Committee—Ecclesiastical Commissioners Orders in Council * (33).

Report—Ecclesiastical Commissioners Orders in Council * (33).

REFORM ACT, 1867—RATEPAYING CLAUSES.

QUESTION. OBSERVATIONS.

THE DUKE OF ARGYLL said: I now rise to put the Question of which I gave notice on Monday last, Whether the attention of Her Majesty's Government has been called to the inconveniences arising out of the ratepaying clauses of the Reform Act of 1867; and, whether any measure is in contemplation for the removal of them? That Question, my Lords, refers to a subject of great interest and importance, both political and social. The inconveniences to which the Question alludes have become so serious, and are cutting so deeply into the spirit and temper of the people in many of the great cities of this country, that, under any circumstances, it would have been necessary to call the attention of the House at a very early period to the evils which have arisen; but I should not be dealing candidly with the House if I did not admit at once that I have given this Notice at an earlier period than I intended, because it enables me to bring to the test of fact the accuracy and the candour of certain statements on the subject of Parliamentary Reform, which have recently been publicly made by the First Minister of the Crown. Let me recall to the recollection of the House the circumstances under which those statements have been made. On the first night on which that House assembled after the retirement of Lord Derby, my noble Friend near me (Earl Russell), who was at the head of the late Government, declared, in terms more severe, certainly, than are usual in the calm and almost judicial atmosphere of your Lordships' House, but in terms in my opinion not more severe than they were just and called for, that he could not place any confidence in the character of a Government whose policy on the subject of Reform had been a policy of deceit. The noble Duke opposite, the Lord President of the Council (the Duke of Marlborough), made a short reply, in the course of which he said, that he hardly knew what the noble Earl meant or what he referred to. My noble Friend rejoined by referring to the celebrated speech of the present Prime Minister, then Chancellor of the Exchequer, at Edinburgh, in which it was generally understood that the right hon. Gentleman had declared that during seven years he had been educating the Conservative party to pass a measure, the principal feature of which was the adoption of the borough franchise, suggested by Mr. Bright. To that rejoinder no reply was made from the Benches opposite, and the Prime Minister was reduced to betake himself to what are called "the ordinary channels of public intelligence," which is, I think, Parliamentary periphrasis for saying that he wrote to the Editor of *The Times.* Now, I do not know that any serious blame could attach to the noble Lords opposite for not having replied to the rejoinder of my noble Friend. In the first place, there are three, at least, of the Members of the Bench opposite who had been introduced into the Government of Lord Derby under what might be called "the Conscience Clause," after the religious instruction had been closed, and for whom nothing remained but the secular teaching of the Government school. I do not think, therefore, that these noble Lords were called on to reply. The noble Earl the Lord Privy Seal (the Earl of Malmesbury), however, was an original Member of Lord Derby's Government, and must have gone through the religious instruction of which they had all heard so much ; but the noble Earl had probably found that teaching powers had been attributed to him of which he was not conscious ; and I am not surprised, therefore, that he did not make any further reference to the speech at Edinburgh. My Lords, I shall say nothing more of the position in which the Conservative party found themselves placed by that speech, except this — that that party must be the most good-natured party in the world. Of this I am sure, that if a speech had been made by any considerable Member of the Liberal party, in which it had been said that that party had been schooled by its Leaders into a policy opposed to their wishes and convictions, we should have had not one, but half-a-dozen, caves of Adullam full of justly discontented and justly indignant men. The honour of the Conservative party is in their own keeping ; but, my Lords, there are other parties interested in this matter. The letter of the Prime Minister, which has been addressed to the public papers the other day, gave a version of the speech at Edinburgh which I shall implicitly accept. That letter professes to give an account of the history and result of the Reform contest during several years ; and such an account cannot interest one party alone. If it be a misrepresentation of the course taken by the Conservative party, it must necessarily be a misrepresentation of the course of the Liberal party also. When two great parties have been at issue for many years upon a great question of public policy, it is not possible to misrepresent the policy of the one without also misrepresenting the policy of the other. If the five points specified by the right hon. Gentleman were the five points of the Tory Charter which were fought for by the Conservatives during seven or eight years, they must also have been the points against which the Liberal party have during the same period been contending. Now, my Lords, the misrepresentations contained in that letter of the Prime Minister of the points at issue between the two great contending parties are so broad—I had almost said so gross—that I hold it absolutely necessary for the honour of the Liberal party—nay, even for the honour of Parliament—that some of those misrepresentations should be exposed. I shall now quote to your Lordships a few introductory words from the speech delivered at Edinburgh, in which those five points are introduced to the attention of the public as having been inculcated during seven years by the Conservative party. I attach no importance whatever to the change made in the authorized version of the speech as it fell from the right hon. Gentleman and was reported at the time. I think too much importance has been attached to that change, because, though Mr. Disraeli did use the word "I," it is but fair to say that the right hon. Gentleman stated that when he used the word "I," he spoke not of himself alone, but of himself and his Colleagues. The introductory words were these—

> "Now, what were the points which I, with the concurrence of my Colleagues, tried to impress upon the conscience and conviction of the country?"

Your Lordships will observe that these

are very solemn words. The five points were points the right hon. Gentleman had endeavoured to impress not only on the intellectual conviction but also on the "conscience" of the country, and those five points he proceeded to explain very much in accordance with the letter that has now appeared in the public press. Of the five points there mentioned, the last, and the last only, stands in immediate connection with the Question I am about to put to Her Majesty's Government, and therefore I shall dwell very little on the four previous points. The first point which Mr. Disraeli said the Tory party had been obliged to press on the conscience and conviction of the country was "that the measure should be complete." Your Lordships will probably recollect that this expression of a "complete measure" was very much used during the Session of 1866 as a means of condemning the Bill brought forward by the Government of that day, who had divided the question of Reform into two branches—one dealing with the extension of the franchise and the other with the distribution of seats. Now, all I shall say on this point is, that if Mr. Disraeli was for seven years earnestly impressing on the conscience and conviction of the country that a Reform Bill must be a "complete measure," so far as regarded dealing with these two separate branches in one Bill, he must have had a very easy time of it, because it so happens that all the Bills previously brought forward by Liberal Governments were "complete," for they dealt with both branches of the subject, and Mr. Disraeli must be not only a very able man—which undoubtedly he is—but also something of a prophet if he found it necessary to impress on the conscience and conviction of the country the advantages of a course which no Liberal Government had then proposed to depart from. But even as to this question of completeness, what has been the result ? Why, that the Conservative party have brought in a Bill much more incomplete than that of the former Government. The plan pursued by the Government of my noble Friend was a matter not of policy but merely of procedure ; it was considered the more convenient course to deal with the two branches of the subject in separate Bills, and that was all. But by instilling into the mind of the public, and of a large portion of the Members of the House of Commons, a suspicion that it was intended to deal in one Parliament with one branch of the subject, and in another Parliament with another branch, the leaders of the Tory party succeeded in prejudicing the mind of Parliament against that measure. But Her Majesty's present Government have brought in a Bill confessedly incomplete on the subject of the re-distribution of seats, and that question therefore remains open, to be dealt with by a new Parliament elected under household suffrage. I now come to the second point, which is "that the representation of no place should be entirely abrogated." I suppose this must refer to the doctrine that there should be no "Schedule A," as it was called in the first Reform Bill, or that the representation of no borough in England should be entirely abolished. Now, here again, I have to observe that this has not been a point of contest between the two parties during the last seven years. So far as I know the Conservatives never did commit themselves to the doctrine that the representation of no small borough shall be wholly abolished — and if they do now commit themselves to such a declaration they will, I have no doubt whatever, be defeated. I have, however, another observation to make on this point, which is that it does so happen, that, in the Bill of 1866, the Government of that day did adopt the principle that the representation of no place should be entirely abrogated. That was a peculiarity of the Bill of 1866 as distinguished from former Bills. The Government of my noble Friend avoided entire abrogation, intending to let the small boroughs down gently in their fall, and accordingly we proposed to unite them with neighbouring boroughs under a system of grouping. It is unquestionable that such a plan would have been favourable to the small boroughs in a Conservative sense, yet the Conservative party rejected that plan. It was not popular among the Liberals, for obvious reasons. My own belief is that the plan of grouping is dead, and if the Conservatives nail their colours to the mast for the small boroughs they will scarcely come to a successful issue in a new Parliament under household suffrage. The third point mentioned by Mr. Disraeli was "that there must be a real Boundary Commission." With respect to this point I shall merely say in passing that the question of a Boundary Commission never has been a point of dispute between the two parties. It might be convenient or inconvenient to have a Boundary Commission, but the question has never been a question of serious contention between the two parties; so that if that was one of the points which, for seven years the Conservative party had to impress upon the conscience and conviction of the country they must have had an uncommonly easy task. The fourth point was "that the county representation should be considerably increased." I have exactly the same observation to make on that point. The proportion of the town and county representation never has been a subject of contest between the two political parties. In the Bill of 1854, brought in by the Government of Lord Aberdeen, there had been no less than forty Members added to the county representation. The Liberal party did not find any great fault with the Bill of 1859 on account of the distribution of seats proposed by the Conservative Government, and I am not aware that the Conservative party found any great fault with the distribution of seats proposed in the Bill of 1866. Nor, again, did the Liberal party object very much, except in some small matters of detail, to the distribution of seats proposed in the Bill of last year. This has always been an entirely collateral issue, and one of a very narrow nature, and upon it there never has been shown any serious difference of opinion between the two parties. So far then as regards these first four points it is utterly futile to pretend that they were points which the Conservative party had been impressing upon the mind and conscience of the country. I now come to the fifth and last point, which immediately connects itself with the Question which I am about to put to Her Majesty's Government. That point is that the borough franchise should be established on the "principle of rating." Now, my Lords, I assert in the face of this House and of the country that this is a broad misrepresentation of the great issue upon which the two parties have been contending. What is meant by founding the borough franchise on the principle of rating? It may have two meanings—one meaning is that you should take a line of qualification from the rating column instead of from the value column in the rate book as the basis of the franchise; the other meaning is that you should take the payment of rates, however small the amount may be, as qualifying for the franchise. Now, I contend that whether you take the one meaning or the other it is utterly untrue that this has been a point of difference contested between the two great political parties during the last seven years. I assert further that it is put forward to conceal the real point of issue between these two parties, which was nothing else than this—not whether you should take the clear annual value column or the rating column — but whether you should have any lowering of the borough franchise at all. It was against this that Mr. Disraeli fought; it was upon this that he endeavoured to instruct the "conscience" and intelligence of the country. It is entirely incorrect to say that the Liberal party have fought during the last seven years for an issue so comparatively unimportant as the point of rating or value. In 1852 the Bill of Lord John Russell's Government proposed a £5 rating franchise, and the Bill of Lord Aberdeen's Government was founded upon a £6 rating franchise. My Lords, in order to show that this is put forward by Mr. Disraeli merely in order to cover and conceal the fact that he and his friends were fighting against any reduction of the franchise, I shall quote, from the authorized version of Mr. Disraeli's speeches, four extracts, taken chronologically, during the last seven years, showing what the real issue was. In defending his own Bill of 1859 against the attacks made upon it because it involved no reduction of the borough franchise, Mr. Disraeli used these remarkable words—

> "It certainly would be be most injudicious, not to say intolerable, when we are guarding ourselves against the predominance of a territorial aristocracy and the predominance of a manufacturing and commercial oligarchy, that we should reform Parliament by securing the predominance of a household democracy."—[3 *Hansard*, clii. 985.]

That was in 1859. It was very true that before they left office, finding it was hopeless to have a Reform Bill without reform in the borough franchise, they gave certain indications that under a proper amount of pressure they would concede that point. But did that repentance last? No. Mr. Disraeli reverted to his former opinions, and during the whole of the seven years since 1859 the point he was pressing without ceasing upon the attention and the conscience of Parliament and the country was that any reduction in the borough franchise must ultimately lead to household suffrage. His plan was "lateral extension" of the franchise, and that a certain small and select portion of the working classes should be let in by means of fancy franchises. Thus, in 1861, on the 13th March, Mr. Disraeli expressed himself to this effect—

> "Everybody knows the clear issue"—and this is a remarkable confession—"that was taken upon the measures which I brought forward as the organ of Lord Derby's Government on the subject of Parliamentary Reform. It was this or it was nothing—Would you, or would you not, lower the borough franchise? That was the broad and intelligible issue. Upon that issue the opinion of the House was taken, and by virtue of that opinion, and in order to carry it into effect, the present Government was formed."

Thus, there was no change in the opinion of the right hon. Gentleman in 1861. Now, my Lords, let us advance a step further in the seven years of which Mr. Disraeli has given us so candid and so accurate a statement. On the 8th of May, 1865, he said—

> "I have not changed my opinion upon the subject of what is called Parliamentary Reform. All that has occurred—all that I have observed—all the results of my reflections, lead me to this more and more—that the principle upon which the constituencies of this country should be increased is not one of radical, but, I would say, of lateral Reform—the extension of the franchise, not its degradation. Although—I do not wish in any way to deny it—we were in the most difficult position when the Parliament of 1859 met, being anxious to assist the Crown and the Parliament, by proposing some moderate measure which men on both sides might support, we did to a certain extent agree to some modification of the £10 franchise—yet I confess that my present opinion is opposed, as it originally was, to any course of the kind."—[3 *Hansard*, clxxviii. 1701-2.]

The last extract I shall make brings us down to a very recent period. On April 27, 1866, in one of the debates on the Bill of the then Government, Mr. Disraeli expressed himself as follows:—

> "Sir, I do not give it as my opinion, but I give it as my observation of what I believe to be the opinion of the country—I mean that impartial and intelligent opinion which really regulates the country—is this, that though they are desirous that the choicest members of the working classes should form a part—and no unimportant portion—of the Estate of the Commons, they recoil from and reject a gross and indiscriminate reduction of the franchise."—[3 *Hansard*, clxxxiii. 98-9.]

That was the latest period up to which he was instructing, as he now tells us, the "conscience" and intellect of the people that if any reduction was given, it should be on the basis of rating, and not of rental. When the Conservative Government came into office, in consequence of the defeat of the Bill of the Liberal Government, I can readily admit that, being placed under new circumstances, they would have been entitled to change their course if they had frankly and manfully admitted that they were compelled to do so. But the course they took upon the subject of what they called the "personal payment" of rates was one unworthy of a great political party, and was a mere blind by which they succeeded in duping first their own followers, and then a great portion of the House of Commons. Over and over again during the contest of last year Mr. Disraeli and the other Members of Her Majesty's Government insisted that the main security of their Bill was the personal payment of rates. It was represented as some new principle, and that the payment of rates was the discharge of a great public duty, the mere fact of which proved the man who performed the duty to be so respectable and responsible that he was well entitled to a vote. It was under these representations that the Conservative party were persuaded to adopt the principle of household suffrage modified by the personal payment of rates. Now, it was a remarkable fact that the Bill passed last year contained no clause whatever for the personal payment of rates. It was a pure delusion. The clause in the Bill of last year was precisely the same as the clause upon that subject in the Reform Bill of 1832—the voter must be rated, and his rates must be paid. While the late Government were in office we were obliged to inquire—and these inquiries were, of course, to a great extent confidential—how this provision operated throughout the country; and we found that the payment of rates, as required by the Reform Bill of 1832, was wholly inoperative for the purpose for which it was intended—that is, for securing the solvency of the voter and the respectability of the class to which he belonged. We found that in a large number of towns there was a common agreement between political parties that they would take no notice of the non-payment of rates. In other places an arrangement was made by both parties that the respective electioneering agents should pay the rates for their own voters. In some places the provision did disfranchise a few persons, but generally either no notice was taken of the non-payment of rates, or it was made an engine of political influence, the various agents paying the rates when they found it convenient to do so. Now, the clause in the Act passed last year was almost in the same words as the clause in the Reform Act of 1832; and no personal payment of rates was required by either of them. Under the new as under the old law it is perfectly legal for the tenant to make use of his landlord as his agent for the payment of the rates, and if the tenant pays his rates through the landlord, he becomes *ipso facto* entitled to vote. This clause, therefore has no effect whatever in keeping out the lower class of voters whereever there is a strong political motive for getting them on the register. The object with which the clause was placed before the Conservative party was to induce them to believe that the personal payment of rates was to be some security that the poorest and most dependent class would not come upon the register; but the clause provides no security whatever for such a result. The hon. and learned Member for Reading (Mr. Shaw-Lefevre), has published an able pamphlet on this subject, which I recommend to the attention of your Lordships. It states the matter with great clearness, moderation, and impartiality. I will take the case of Exeter, and your Lordships need be under no suspicion that the facts of the case are misrepresented or overstated, for the circumstances Mr. Shaw-Lefevre mentions were stated in evidence before Earl Grey's Committee some years ago. Exeter is an important place, containing a population of upwards of 42,000. The author of the pamphlet says—

> "In Exeter there are 1,300 houses rated at £6 and under, and the landlords by arrangement with their tenants pay the full rates, and the tenants therefore will be entitled to be put on the list of voters; of houses above £6 the tenants pay their rates themselves, and whatever test or check there is in the case of personal payment will be in force for houses of the higher value."

But not for houses of the lowest value! It would be a curious thing to inquire how it happened that the house-owners of Exeter came to this agreement to pay their rate for the lower classes of their tenants. The evidence given before Lord Grey's Committee showed that it was an arrangement which arose out of the keenness of political contests. The landlords of houses below £6 agreed to pay the rates for the tenants in order that they might be able to put them on the list of voters; and, wherever political feelings are keen and it is an object on the part of landlords to influence elections, the natural resource will be to pay the rates of the very poorest and most dependent class of voters, and so put them on the register. Therefore, the provision of the Reform Act of 1867, of which so much was made, is utterly and entirely frustrated, as far as regarded the only valuable object for which it was introduced—an object, I fully admit, which would have been a legitimate one if it had been aimed at in a fair and honest manner. The farther provision for the abolition of compounding has produced enormous evils as regards the collection and payment of rates, and here again the object aimed at has not been fully attained. The Act does not prevent voluntary compounding to a certain extent. A landlord may be made the agent of his tenants in paying their rates, and a certain allowance may be made by the vestry to the landlord for the collection of the rates. It is stated by Mr. Shaw-Lefevre, no doubt on good authority, that the amount of the allowance which, in particular cases, is given to the landlord for the collection of these rates amounts nearly to the old rates of composition. The law, therefore, can be to a large extent eluded by those landlords who wish to get their tenants on the register; but it imposes most serious inconvenience on municipalities as regards the collection of their rates where the landlords have no political object to serve, and where consequently they prefer to allow the rates to fall on the tenant. And again although a certain allowance may be made to the landlord for the collection of the rate, no allowance can be made for empty houses and bad debts, which are the elements that made the old system of compounding valuable to the owners of house property and also to the vestries. Another result of abolishing the old system has been that cruel and unjust consequences have fallen on the lower classes of tenants. Since I gave notice of this matter on Monday I have received many communications from different parts of England, and from these I shall select three examples—from London, Leeds, and Salisbury respectively. Your Lordships may have read in the papers recently what occurred at the East End of London when this law came into operation, and when it was attempted to obtain the rates from poor persons living from hand to mouth on weekly wages. They found it difficult to pay rents which included rates, and they found it impossible to pay the rates in addition; and hence a large number of appeals. The *Daily News* reported that—

> "During the hearing of these, it transpired that in very few cases have the landlords of East London reduced the rental of the house property belonging to them. At Hackney, as elsewhere,

every compound-householder complained that, while paying the full amount of rental paid by him under the compounding system, he was now called upon to pay the rates in addition also. Thus the result of the Reform Bill has been, so far as East London is concerned, to increase the burdens borne by the working classes, and to augment considerably the profits of the landlords. In ordinary times the number of summonses issued in Hackney ranges from 1,500 to 2,000, so that the additional 4,000 returnable represents the effects of the abolition of the compounding system."

Your Lordships will mark that payment of rates has not been compensated by a reduction of rentals to the poorest classes of the community. It was said of them—

> "Rather than pay the rates hundreds of artizan families are giving up housekeeping and going into lodgings. The appellants comprised every section of the working classes—labourers, masons, bricklayers, carpenters, ostlers, mechanics, gardeners, smiths, tailors, saddlers, tinsmiths, brickmakers, and so forth."

I have received a similar report from the town of Salisbury. A gentleman who has communicated with me on the subject says—

> "Owing to this Act, one great evil in a sanitary view will very probably arise, from which the city of Salisbury is now wonderfully free when compared with most of the large and many of the smaller towns of the kingdom—that is, overcrowding. As a rule, with few exceptions, each family hitherto has had a cottage to itself; but now, as the artizan will often have to lower his class of residence, so will the labourer, in many instances, have to give up his separate holding of a tenement; families will be forced into lodgings, and, as in other places, the deadly fruits will be reaped in a harvest of diseases, and from a like cause—overcrowding; an evil which, as a cause of disease, especially of fevers, has proved in many places quite capable of neutralizing the beneficial influence of the best water supply. Upon the whole, it is abundantly evident that the system of compounding for cottages in Salisbury was a good system, as tested by the experience of many years, and that owing to its destruction nothing short of a social revolution pervades more than one-half of the households in the city. The parish authorities are at their wits' end, and cannot even guess at their financial prospects; 1,200 tenants, before free from the bother of rate collectors' calls, are now made unpleasantly familiar with them; a state of antagonism is created between those tenants and the authorities on one hand, and the landlords on the other; many poor people who were before paying their way are now placed under the necessity of publicly pauperizing themselves to claim exemption from the rates."

Your Lordships may have seen the report of a meeting recently held in Leeds, in which the same complaints were made. It is found that, to a large extent, the rates are not collected, and the greatest hardship is imposed upon the poorer classes. Under the old system, the tenant paid the rates in the shape of rent; but houses were a monopoly, and if the landlords did not choose to reduce the rnets the tenant had practically no resource. At the meeting Alderman Carter said—

> "Now in Leeds the fine would amount to an average of 8*s.* on all compounding houses, and supposing there were 30,000 such houses in the borough, the fine would amount to about £12,000 a year. . . Supposing each Parliament to last four years, the fine during that time would in Leeds amount to as much as £48,000. . . . Another objection was that additional rating would fall upon the provident among working men, while the improvident would shirk it. The man who drank, and did not care for the comfort of his family, and had not above half-a-crown's worth of furniture in his house, could very easily remove. And this was what such a man did; as soon as ever the rate-collector was expected he wasn't to be found. The rates, therefore, fell upon those working men who could not afford to leave their houses, who would rather pay than put their families to inconvenience. There was another phase of the question. There were 6,000 widows and spinsters occupiers in Leeds, and ought they to be fined because householders were to have a vote? Where would be the justice of such a proceeding? A poor woman was left with a good house full of furniture, and was struggling hard to get a living, and, although obtaining no privilege under the Reform Act (and they will not do so unless Mr. Mill's scheme is carried out), a fine was to be put upon her."

I will not trouble your Lordships with further extracts, although I have several more complaining of the intolerable grievance laid on the poorer classes and upon the municipal bodies. In cases where the landlords do not voluntarily adopt the system of compounding, and make arrangements with the local authorities, those authorities are at a loss to know to what extent their rates can be collected, and whatever amount is lost upon the lower class of houses must necessarily be compensated for by higher rates upon the houses above them. Now, what has been the result to the Conservative party of this wonderful principle which Mr. Disraeli has been impressing on the intellect and the conscience of the country during seven long years? What is the net result arrived at as regards the political restrictions imposed? It is simply this — that the country has household suffrage, qualified by botheration and vexation, but by nothing else. In boroughs, where political feeling is keen, the rates of the poorer classes of tenants will be paid for them, and their names will be placed *en masse* on the register; while, on the other hand, in boroughs where the landlords do not care to exercise any political influence, they will not take steps to have their tenants placed on the rate book. Thus, the Government have annoyed the municipal authorities by throwing the whole system of borough finance into inextricable confusion, in order to save their own consistency, because they would not admit a "hard and fast line" in the boroughs—while they were adopting a "hard and fast line" in regard to the lodger and the county franchise; and to conceal what I must call this fraud upon their own party and upon Parliament, they have harped on this string of the personal payment of rates—a refuge which has failed them as against the poorest and most dependent classes of the community, and which, if they do not now abandon it, will be swept away by the votes of a household suffrage Parliament. And now, my Lords, I cannot help asking this question—was all this intolerable grievance, all this cruelty to the lower classes, all this trouble and vexation to the municipal bodies of the country, the result of pure ignorance on the part of the Government, or was it braved for a mere party purpose—the Government knowing and being careless as to the effect of this rating franchise in towns? I should have been ashamed to ask such a question of any political party if it were not suggested by, and answered in the words of Mr. Disraeli himself. Before bringing in his own Reform Bill in 1859, when his object was to refuse any lowering of the franchise, whether on the rental column or on the rating column, the right hon. Gentleman, no doubt, had occasion to look minutely into this question of rating, which I admit is somewhat complicated, and not to be thoroughly mastered except at the cost of much time and trouble. But Mr. Disraeli when he was called to examine it, has too acute a mind not to arrive at the right conclusion, and this very Statesman, who in writing to the public papers and in addressing the public of Scotland at Edinburgh, has now asserted that this principle of personal rating was a point which he had for seven long years been urging upon the intellect and the conscience of the country, made use of the following words when, in 1859, he had occasion to state the conclusions he had arrived at in regard to it—

> "There is a wish—and I should once have said a very general wish—that, instead of a household suffrage being founded on value, it should be founded by preference on rating. I am not at all surprised that more than one hon. Gentleman has received this observation with marks of assent and sympathy. I confess myself that I was always much biassed in favour of that idea. It appears to me that if you could make—to use a common phrase—the rate book the register, you would very much simplify the business of an election. But, when you come to examine this matter in detail, in order to see how it will act, you will find that it is involved in difficulties, great, as all acknowledge, and I am sorry to be obliged to confess to my mind insurmountable. For the purpose of securing the advantage of having the rate book the register, you must, of course, leave perfect discretion to the overseer. The overseer has an interest in raising the rates. People may say he may be a very hot political partizan. Are you prepared to leave to the overseer the absolute discretion of appointing those who are to exercise the suffrage? But even beyond this there are other difficulties which you will find most perplexing. Notwithstanding the Parochial Assessment Act, the rating of this country is most unequal, and it is only those whose business it has been to examine into this subject in its minute details who can be aware of the preposterous consequences which would arise from the adoption of a rating instead of a value qualification."

And this is the Minister who now tells us that for seven years he has been engaged in pressing a franchise founded on the principle of rating, as the most important of his five points, on the attention and the conscience of his party! My Lords, I shall make but few comments on the extracts I have now read. I find in another of Mr. Disraeli's speeches, a passage in which, referring to some cause of complaint against the conduct of his political opponents, he said, "I will not dwell on this complaint; I am willing to take public life as I find it." Well, my Lords, so am I—at least as we have been hitherto accustomed to find it in the British Parliament. No one is more willing than I am to admit that the opinions of all of us are liable to be biassed by the position in which we are placed. Some opinions we are obliged to modify under the responsibilities of office; other opinions become intensified by the duties of Opposition. But hitherto the great political parties of this country have manfully avowed the objects for which they were contending, and have not less manfully avowed the objects for which they must cease to fight. But these attempts to bamboozle Parliament and to deceive the people are new in the history of English politics. They tend to degrade the noble contests of public life and the honourable rivalries of political ambition. I do not indeed believe that the people of this country have been really deceived. On the contrary, I believe they know perfectly well that this account of the Reform contest which the First Minister of the Crown has just given them is entirely inaccurate and wholly unjustified by the facts of the case. But I am grieved to observe that many persons seem to be amused rather than shocked, and that men are beginning to regard these things as the ordinary tricks of professional politicians. And is this, my Lords, the example which, on the eve of the election of a new Parliament by household suffrage, it is fitting we should give to those whom we are accustomed to call the lower classes of the country? ["Hear, hear!"] My Lords, the tones of moral indignation are healthy tones. I rejoice that, however they may be stifled elsewhere, they still find an echo in the House of Peers. They could not come more fitly from anyone than from my noble Friend (Earl Russell), who, in the course of a long and illustrious Parliamentary career—a career which will be remembered when most of us are forgotten—may sometimes have changed his course and may sometimes have modified his opinions, but who has always manfully avowed the change. I, for one, will not accept public life on the new conditions on which it is offered to us by the First Minister of the Crown—at least, without observation and without protest. My Lords, I now ask the Question of which I have given notice.

THE LORD CHANCELLOR: The noble Duke who has just resumed his seat has addressed to your Lordships a speech which deals with two subjects very different in their nature. One part of the noble Duke's speech I may term personal; and to that, with your Lordships' permission, I will for a moment defer my reply. The other part of his speech, and that which I think is by far the most important, related to the Act of Parliament which last year became law, and its effect, as far as we are at present able to ascertain it, on the rating and the ratepayers of the country. Now, it is important that there should be no mistake as to what the effect of that legislation was, and as to the mode in which that legislation took place. What, my Lords, was the state of the law when the Bill of last year was introduced? There were, in substance, three modes in which the ratepaying householders of this country were dealt with in Parliamentary boroughs. In one set of Parliamentary boroughs, which I think were twenty-nine in number, there was no such thing known as composition for rates. The occupiers were rated, and the persons who were rated paid the full amount of the rate levied upon them. In another class of Parliamentary boroughs, which were fifty-seven in number, composition for rates was the law, and your Lordships, I have no doubt, are familiar with the character of that composition. It may be defined in a very few words. In regard to tenements under a certain value—generally £6—the occupier was not rated, but, in return for the owner taking upon himself the responsibility of payment and collection, a certain drawback was allowed him, so that when the occupier, for example, would have paid 1*s.* as a rate, the owner would pay 8*d.* or 9*d.* There was also a third class of Parliamentary boroughs, ninety-nine in number, where composition was applied in certain parishes and not in others. It is an interesting fact that at the time when the Bill of last year was introduced, there were no less, in round numbers, than 100,000 houses rated under £6, where, by agreement and for the mutual convenience of owner and occupier, the owner paid the rate, but paid it at the full amount. Those being the three great divisions of Parliamentary boroughs, what did the Bill of last year, in the shape in which it was first introduced, propose to do? In boroughs where no composition existed it effected no change, and proposed no change in any way. With regard to boroughs and parishes in boroughs where composition was the rule, the Bill, as introduced by Her Majesty's Government, made this proposal—that any occupier whose rate was compounded for and paid by his landlord (upon the reduced scale) might claim to be rated himself, and on paying the full rate was then to have his vote. That was the proposal of Her Majesty's Government. But when the matter came on for discussion, an independent Member of the House of Commons—not a supporter of Her Majesty's Government, but a supporter of the party to which the noble Duke belongs—I mean Mr. Hodgkinson—proposed that the system of composition in Parliamentary boroughs should be abolished altogether. This suggestion, therefore, emanated not from Her Majesty's Government, who are now accused of having harboured this wicked and malicious desire to overthrow the arrangements of the country, but from a Gentleman, a most respectable Member of Parliament, agreeing with the noble Duke upon everything probably, except this particular subject. But the matter did not end there. A third proposal, to which I pray your Lordships' attention, was made by an eminent Member of the Liberal party, who had been Secretary to the Treasury under the Ministry of the noble Earl (Earl Russell). And I venture to think that this proposal of Mr. Childers has never yet been sufficiently considered by Parliament. He said, "Abolish the system of composition as a rule, if you please; but let there be a power for any particular occupier of a tenement to return into the position of a compound-householder if he prefers to do so." Your Lordships will see that the proposal of Mr. Childers was exactly the converse of the proposal of the Government. The Government said, "Let any person whose rates are now compounded for have the power of emancipating himself if he chooses, and let him by paying his rates secure his vote." The proposal of Mr. Childers was, "Let any person who prefers to return into or to remain in composition have liberty to do so, at the cost of sacrificing his franchise." When the plan of Mr. Childers was first submitted to the House of Commons it was favourably entertained, and Her Majesty's Government undertook to prepare clauses for carrying this into effect, which were to be considered at the same time with Mr. Hodgkinson's Motion. The Government prepared the clauses accordingly, and they were duly submitted to the House of Commons; but when all these various propositions came on for discussion,—the original proposal of the Government, Mr. Hodgkinson's plan for annihilating composition, and the suggestion of Mr. Childers—which last was a medium between the other two—the House thought the proposal of Mr. Hodgkinson the better and safer to adopt, and refused to entertain the clauses which had been proposed to give effect to the scheme of Mr. Childers. When I say refused, I do not mean that a division actually took place, but the temper of the House of Commons was so clearly manifested that the Government did not think it their duty to press for a division upon these clauses. The result, therefore, was that, not by the Act of Her Majesty's Government, but by the proposal of an independent member of the Liberal party, the system of composition in Parliamentary boroughs wherever it existed was annihilated by the clause as it passed the House of Commons. Let me point out to your Lordships one fact which has resulted from this legislation. The noble Duke referred to a Committee of your Lordships' House that sat some years ago, I think in 1859. In their Report they said—

> "The Committee are of opinion that, as a test of fitness to take part in municipal affairs, as well as a security against corrupt and fraudulent practices, actual, direct, and continuous payment of rates should be the indispensable condition of the municipal suffrage."

The noble Duke considers that actual, direct and continuous payment of rates is an impossibility altogether, and that, if it existed, it would afford no security against corruption or for the proper exercise of the municipal franchise. But a Committee of your Lordships' House, at all events, were of a different opinion. And mark what happened. The result of the legislation of the House of Commons, whether the noble Duke approves it or not, was in Parliamentary boroughs to effect the object which a Committee of your Lordships' House had declared to be advantageous for the purpose of municipal elections; because, in abolishing the system of composition for rates, which is to take effect with regard to municipal as well as to Parliamentary elections, the principle of full, direct, and personal payment of rates becomes the law at municipal elections in those boroughs. Your Lordships will not suppose that I am going to argue now in support of a policy which has passed into law; but when the noble Duke says the result of this legislation must be that whenever politics run high rates will be paid by the landlords or by political partizans, I must remind your Lordships that that is going back to the question which was argued in your Lordship's House last year. Your Lordships considered the point fully, and provided for it by introducing into the Act a clause carefully weighed and considerably modified, with the object of preventing anything having the appearance of corrupt payment of rates, or of introducing voters upon the lists for any political or special municipal purpose. I repeat, this is not the time for arguing over again the policy of an Act which is now the law of the land. But I own I was surprised to hear the noble Duke, in the virulence—if he will allow me to say so—of his attack, take up a speech which my right hon. Friend the First Minister of the Crown made in 1859, when introducing the Reform Bill of Lord Derby's Government, and fasten upon the words—every one of which I think your Lordships will endorse—in which my right hon. Friend pointed out the evils of rating as applied to what then was his proposition. For what did my right hon. Friend say? He said in substance this—"It is a very captivating idea to have the rate book as your register; but without an uniform standard of value throughout the country this must be deceptive. In every place, as matters are, there will be standards of value altogether different; in one parish you will have the officers rating high, in another you will have them rating low." All this was most appropriate to the Bill then before the House, which was a Bill with a "hard and fast line"—where the register was to be of £10 householders exclusively, and there being no uniform standard of value, the observations of my right hon. Friend were perfectly sound and justifiable. But what possible application can these observations have to the legislation of last year? What difference can it make whether the rating in a parish is high or low the moment that the "hard and fast line" disappears? The moment that line disappears, that moment the opinions entertained by different overseers regarding the relative values of buildings in particular parishes becomes as immaterial as the views of those overseers upon any social or political question. The noble Duke commented upon what he has heard as to the operation of the Act of last year with regard to the payment of rates. The Act has not been in operation yet for twelve months; the trial of it, therefore, cannot be said by any means to be complete; and there are certain considerations which I will take the liberty of mentioning to your Lordships which go far to make it obligatory upon us to accept with great caution, and with very great hesitation, the statements which have been put forward with regard to the operation of the rating clauses. The first consideration is this. There is not the least doubt that the Act has thrown upon the various officials throughout the country a great deal of extra labour, and I am afraid—I do not blame them for it, it is very natural—that, in consequence, the encomiums they have passed upon the rating clauses of that Act have been of the very weakest and mildest kind. Again, there is not the least doubt that in various quarters—mind, I am not throwing any blame upon individuals; I am merely stating a fact—there exists a disposition, where strong political views are entertained, to cast discredit—if discredit can be cast—upon the legislation of last year. And your Lordships will therefore not be surprised to learn that very strong expressions have been used in certain quarters as to these clauses of the Act of last year. There is no doubt also that, during the past winter and the present spring there has been, as your Lordships must all regret, in various parishes a very great and unusual amount of distress, which would make the payment of rates, under any circumstances, a matter of very great difficulty and embarrassment. That consideration, no doubt, has also operated to produce some of those complaints to which the noble Duke has referred. I think the noble Duke mentioned Birmingham. [The Duke of Argyll: No, no!] Well, I have however seen it referred to in some published statements. I find that what has happened at Birmingham has given rise to much complaint and dissatisfaction. I naturally inquired, and what did I find to have been the case? By some mistake—I know not who was answerable for it—rates were demanded from some 30,000 of persons, all for very small sums, and upon non-payment of these rates, proceedings were taken. It turned out that the rates had been improperly demanded by a collector, when by law they ought to have been demanded by an assistant overseer. All these proceedings came to nothing; and hence, no doubt, a great deal of expense and dissatisfaction was occasionedf But the Act of last year is not properly answerable for this. Well, my Lords, further than this, I admit that there may be one reason for dissatisfaction as to the clause in the Bill of last year, and the noble Duke himself referred to it as one of the greatest causes of dissatisfaction. The noble Duke is perfectly accurate in saying that a very large number of those who come on the rate book in consequence of the Act of last year are widows, single women, and in some cases even paupers. I am told, on information which, considering the quarter from which it comes, I think is likely to be correct, that 20 per cent of those who come on the rate-book are persons such as I have just described. It is a very great misfortune that the proposal of Mr. Childers, to which I have already referred, was not agreed to, because if it had been adopted, widows, single women, paupers, and other persons would have been able to say, "We don't wish to be taken out of the range and ambit of composition; we don't wish for a vote, or are incapable of it, and as regards the payment of rates, we prefer to be left as we are." But, unfortunately, the proposal of Mr. Hodgkinson was adopted, and the law made no exception. I do not, however, mean to say that in consequence of matters of detail of that kind, which come to be known when the measure comes to be worked, and which cannot be known until the measure is worked and tried, an alteration may not require to be made in the law as far as it relates to the collection of rates and dealing with the rate book. In fact, a Member of the other House of Parliament (Mr. Ayrton) has called attention to the matter, and on that hon. Gentleman's Motion a Select Committee has been appointed "to inquire into the assessment and collection of poor rates and other local rates and taxes in England and Wales." I think that from that Committee we may probably derive very useful information on the subject, and if any of the objections now made should be established in a satisfactory manner, and the difficulties complained of be remedied, it may be the duty of the Government to propose a remedy. My Lords, there were two parts in the speech of the noble Duke, and at first I felt some difficulty in tracing the connection between these two things—between the law relating to the payment of rates and the speech of the present Prime Minister delivered at Edinburgh while he was Chancellor of the Exchequer. But, my Lords, the term "personal rating" is an equivocal one; and I could not help thinking that in the latter and longer part of the speech of the noble Duke he gave about as conspicuous an instance as could be imagined of that "personal rating" which, in the first part of his speech, he so strongly deprecated. But there is one most unfortunate thing about the personal rating in the present case—that the person rated happens not to be a member of your Lordships' House. My Lords, I undertake, without difficulty, to assure the noble Duke that if that person had been a member of your Lordships' House there is no doubt the rating would have been repaid. But as the subject has been introduced, let me ask your Lordships' attention to it. Do not suppose that I am going to follow the noble Duke through the false issue which he ingeniously substituted for the real one—namely, the accuracy or inaccuracy of the history of the Reform Bill given at Edinburgh by the then Chancellor of the Exchequer. I think it would be unworthy the dignity of your Lordships' House that, either on one side or the other, any arguments should be entered into with respect to the details of any statement in that speech. But there is one subject which I think not unworthy the attention of your Lordships. The noble Duke referred to a statement made here by the noble Earl sitting beside him (Earl Russell) and which the noble Duke endorsed. My Lords, what was the statement made by the noble Earl a few days ago? No sooner had the Government which the present Prime Minister was called upon to form come into office, and taken their seats in this and the other House, than the noble Earl rose and addressed your Lordships. "Confidence," said he, "in such a Government as that! I can feel no confidence whatever in them." And why? "Because," said the noble Earl, "they have confessed themselves, through the Prime Minister, that the Leaders of the Conservative party, during a series of years, were harbouring a design to introduce and pass a measure which all the while they were persuading their own supporters to oppose." The noble Earl said, in effect—"Talk of conduct like that! That conduct would not have been pursued, I will not only say by great and illustrious men such as Mr. Fox, Earl Grey, and Lord Althorp, but by minor and comparatively insignificant men like Mr. Pitt, Lord Liverpool, the Duke of Wellington, and Sir Robert Peel." [Earl RUSSELL intimated his dissent.] I believe I hold in my hand an accurate report of what the noble Earl said. I will take first of all the noble Earl's comparison of the relative position of the great statesmen he named. He is reported to have said—

> "It is a course of conduct, I must say, which not only men like Mr. Fox, Earl Grey, or Lord Althorp"—these your Lordships will observe are the *Dii majores* of the noble Earl—"would have spurned, but which men like Mr. Pitt, Lord Liverpool, the Duke of Wellington, and Sir Robert Peel"—the *Dii minores*—"would likewise have disdained to adopt."—[3 *Hansard*, cxc. 1107.]

But much more important than that comparison was the charge of the noble Earl. I say, my Lords, if that charge were true, it was a relevant one to make in your Lordships' House. I will read the charge, and show you that the noble Duke (the Duke of Argyll) ingeniously retreated from it, and asked your Lordships to try another issue. My noble Friend, the Lord President, having expressed a wish for some explanation of the first observations made by the noble Earl on the occasion in question, the noble Earl said—

> "If the noble Duke wishes to know the meaning of what I said, I must refer him to a speech made by the present Prime Minister at Edinburgh, in which the course taken by the Government was not called a course of deception—it was not called, as Mr. Disraeli formerly called the Government of Sir Robert Peel, 'an hypocrisy,' it was called a 'process of education.' But the use of that word does not prevent the fact being quite clear, which the present First Lord of the Treasury did not endeavour to excuse or apologize for, of which he even boasted, that during seven years during which the fears of the country had been excited respecting a reduction of the franchise against which Mr. Disraeli protested in the House of Commons, afterwards congratulating the electors of Buckinghamshire that no such reduction of the franchise had taken place, during all that time he had been educating his party with a view to bring about a much greater reduction of the franchise, and what he would at one time have called a greater 'degradation of the franchise,' than any which his opponents had proposed."—[3 *Hansard,* cxc. 1106-7.]

Now, my Lords, I ask your Lordships whether that statement is accurate? Is that the case? You will observe that the question arising on the speech of the noble Earl is not whether Mr. Disraeli and the Government pursued such course or not, though I am prepared to meet that; but, whether Mr. Disraeli made at Edinburgh the statement which the noble Earl attributed to him? "I can have no confidence," said the noble Earl, "in a Government which now admits and confesses that for years, while protesting against any reduction of the franchise, they had in view the bringing about of a far greater reduction of it than any which their opponents had proposed." My right hon. Friend the Prime Minister denied that there had been any such admission or confession, and how does the noble Duke meet his denial? He entirely ignores the charge made by the noble Earl. He does not profess to substantiate it; he ignores the denial of it; but he invites your Lordships' attention to an entirely new issue. He asks the House of Lords to consider now, not whether the statement made by the noble Earl was accurate or otherwise, but, whether a wholly different statement which the Prime Minister has put before the country is accurate or not? But the charge which was made against the Government was this—that they made the confession attributed to them by the noble Earl when he referred to the speech of my right hon. Friend at Edinburgh. I do distinctly deny that they did, or that my right hon. Friend did anything of the kind, and I defy the noble Earl to substantiate his statement if he can. The noble Duke became extremely eloquent when he spoke of the tactics of politicians and the honour of your Lordships' House. I rejoice that in your Lordships' House accuracy of statement has always been, and will always be, regarded as it ought to be; and I think that before any Member of this House preferred a charge against the First Minister of the Crown—who cannot be here to repudiate the charge—that he made at Edinburgh a particular statement which would have the result of depriving the Government of the confidence of Parliament and the country, he ought at least to have satisfied himself that such a statement had ever been made.

EARL RUSSELL: My Lords, I shall offer a few observations in reply to the speech which your Lordships have heard from the noble and learned Lord on the Woolsack. There can be no doubt whatever that the case of the First Minister of the Crown has been entrusted to a very able and skilful advocate. I am well aware that the noble and learned Lord was not a Member of the Cabinet which produced and brought into the other House of Parliament the Reform Bill which afterwards passed through your Lordships' House. The noble and learned Lord has, however, made a speech, which, had it been delivered in the Court of Chancery, would have been admired as full of ingenious argument and showing a thorough acquaintance with the details of the subject; and it was therefore well worthy of your Lordships' attention. I venture, however, to say that neither upon that part of the question which he called by far the more important, but which I should rather term the less important of the two, both being of great importance—neither on the one point nor the other—has the noble and learned Lord shaken the argument of my noble Friend (the Duke of Argyll). With regard to rating—having had frequent occasion in the course of my duty to inquire into that subject and its bearing on the franchise, I warned the Government before they introduced their Bill last year that there were great difficulties in adopting household suffrage in its ancient and usual form, and that it was, therefore, necessary to consider a different basis. From the beginning of the reign of James I. to the end of the reign of George III., the household franchise was held to be consequent upon the payment of scot and lot, that being interpreted as the payment of poor rates. At the end, however, of George III.'s reign a system sprang up which imposed on the owner of the house, instead of on the tenant, the payment of rates, with an abatement of 25 per cent. Early in the Session I accordingly pointed out to the noble Earl the then First Lord of the Treasury (the Earl of Derby) the difficulty the Government would find in adapting household suffrage to the existing state of affairs, and that it behoved them to give the subject great consideration. The noble Earl and his Colleagues thought my interference rather an impertinence. They did not consider the subject, and owing to their ignorance of it, as has been charitably said, they have fallen into great blunders and mistakes. It was pointed out to me at the time by overseers, that a great number of the poorer tenants pay their rents weekly. They are not able, or they are not provident enough, to pay by the quarter or half-year, but the agent comes every Monday morning to receive the rent, which includes the rate. When, therefore, the Government adopted the proposal of Mr. Hodgkinson, a great hardship was imposed on the poorer class of householders. It was expected by some that the landlords would proportionately reduce the rents, but of that there was very little chance, for people find great difficulty in obtaining houses. Consequently, the evils which were foreseen by everybody who had attended to the subject, have actually happened. When it is said that the Government are not responsible for this, it is necessary to bear in mind the circumstances under which the Government accepted Mr. Hodgkinson's Amendment. Had the original proposal of the Government been adopted, there would have been a large addition of voters in boroughs such as Oldham, where no system of compounding had been adopted, and a much smaller addition in places equally or more populous, such as Leeds, where compounding was in operation. This was shown in a most able speech by Mr. Bright, and the Government were thus placed in a great dilemma and did not know what to do. Fortunately for the Government Mr. Hodgkinson came forward and proposed the abolition of compounding. The then Chancellor of the Exchequer, I am told, said he entirely approved the proposal, and, indeed, would have made it himself had he not thought it too bold to come from the Government. The proposal was sanctioned by the Government, and was adopted by the House of Commons, and, as my noble Friend has shown in some detail, it has produced much confusion in many boroughs. Great discontent has been excited, and, I have been told by one person, everybody will hate the name of Reform, for having brought upon them the burden and inconvenience of paying rates. Now, what was the pretence — for I cannot look upon it as anything else — on which the Government adopted rating as the basis of the franchise? They said it was unwise to rest upon what was called a "hard and fast" line, and that if we deviated from the £10 qualification at all we must come down to no particular sum, but must give the suffrage to every householder liable to rates. This, they argued, would be a permanent settlement of the question. In the counties, however, a "hard and fast" line existed, the qualification being the possession of property of the value of 40*s.* per annum, and that franchise, when we brought forward a Reform Bill in 1831, had lasted 400 years, no condition of payment of rates being attached to it. Will any of the noble Lords opposite venture to predict that their measure of last year will last 400 years without alteration? Will they undertake to say that it will last thirty-five years without material alteration, as was the case with the measure which I introduced in 1831? Will they even say that it will remain unaltered for three years? Will there not be such a pressure as either to procure the repeal of the ratepaying clauses altogether, or else —which I think would be the better course —to restore the system of compounding? Depend upon it that to meet the convenience of the smaller ratepayers the Government and Parliament will be obliged to give way, and — if not this year then next, when the new House meets—a measure will be sent up to us from the Commons altering the condition of personal rating, which was made the great recommendation of the Bill last year, as a safe and solid ground in comparison with which the 40*s.* franchise appeared contemptible. Well, that is the state of the case with regard to rating, and I cannot but think that either, through the Committee obtained by Mr. Ayrton, or in some other way, a remedy must speedily be applied to the evils which have arisen. The noble and learned Lord has adverted to another question, which in my opinion is of far more importance, and for which a remedy is not so easily to be found. I stated on a former occasion that great deception had been practised as to the policy of the Ministry regarding Reform. I did not say, however, as is represented by the noble and learned Lord, that not only such great persons as Mr. Fox, Earl Grey, and Lord Althorp would have disdained to act in such a manner, but that insignificant men like Mr. Pitt, the Duke of Wellington, and Sir Robert Peel would have also disdained it. What I said was this, that not only statesmen in whom I was accustomed to confide—such as Mr. Fox, Lord Grey, and Lord Althorp, would have disdained such conduct, but that men who were the Leaders of the opposite party would have disdained it also. My purpose in saying that was not to withhold the measure of respect which I should feel bound to pay to such great men as Mr. Pitt, and the Duke of Wellington, and Sir Robert Peel; but to show that this was no question of party, and that the great Leaders, whether on the Whig and Liberal or on the Tory and Conservative side of politics, would equally, from their deep sense of honour, have shrunk with indignation from such a course of procedure. My noble Friend has adverted to the letter which was written by the First Lord of the Treasury upon the remarks I made in this House, and I may say at once that I have no doubt his statement is perfectly accurate and correct, and that he did allude at Edinburgh to the points which he mentions. My mind, however, was engaged at the time, like that of the whole country, upon the great and material question which for several years had occupied the attention of Parliament—namely, whether the borough franchise should be lowered. Upon this subject I had in my mind various speeches which pointed out the course the Government would take. We cannot in these days, when the debates in the House of Commons are printed in every newspaper, and are read by the whole country, pretend to ignore or not to be aware of what has been said in the other House of Parliament in its general outlines, although we cannot, perhaps, in some instances depend on the particular words which are reported. Well, we find, in looking over these records of the daily newspapers, which are afterwards embodied in the volumes of *Hansard*, that when the third reading of the Reform Bill of last year was proposed Lord Cranborne made a most indignant speech. Lord Cranborne said that all the foundations upon which party confidence rested had been destroyed; that it would be of no use for the future for any one to depend on what a Government or party said; that hitherto one party had proclaimed certain principles, and another party said they would resist them and pursue a different course; but that if immediately a party comes into office it throws aside all it had professed for years—if it departs from all that it has held as most valuable and embraces entirely different opinions, then all confidence in party and in public men will be lost, and we shall have an entire change in the Constitution of England. Mr. Lowe followed in similar language. He said he had been in frequent, constant, and as he supposed, confidential communication with the heads of the Government, when they were out of office, and he had always understood that they resisted the lowering of the £10 franchise, and that they meant to oppose anything like what they called "a degradation" of that franchise. Well, the Chancellor of the Exchequer (Mr. Disraeli) spoke after that, and I do not find that he repudiated any of those imputations. I do not find that he said, "Such were our opinions, such was our belief; but we find ourselves opposed to an immense and overwhelming majority of the people who require a reduction of the franchise, and therefore we cannot avoid yielding to that force." If such had been his language, I certainly should have been disposed to respect it. I could well understand a man like the Duke of Wellington coming forward and saying openly and avowedly, "I have always opposed the admission of Roman Catholics to Parliament and to office; but there is danger of civil war, and sooner than incur this danger I am willing to concur in a measure which I have hitherto opposed." I could likewise understand Sir Robert Peel, when a measure was proposed which he had resisted, but which was in entire conformity with those principles of Free Trade of which he had always been the great advocate and defender, saying, "The state of the country is such that I find myself obliged to yield on this point and to change the opinions which I held." But the late Chancellor of the Exchequer said nothing of the kind. As far as I can trace those records of speeches I find that he said that in 1859, seven years before, he had been of opinion that there must be no reduction of the franchise, or if there was it must be a reduction to household suffrage, as there was no resting point between. Now, I can very well understand a man saying, as I could well understand the Cabinet of 1859 to have said, "There is no resting-place between £10 and simple household suffrage, and as household suffrage is very dangerous we will resist any reduction of the franchise." But it is a very different proposition to say, "You cannot alter the £10 franchise the least in the world without coming to household suffrage, and therefore we will adopt household suffrage." The one is a proposition that might be unsound, might be unwise in politics; but it is perfectly defensible. But Mr. Disraeli did not defend himself from the charges made by Lord Cranborne, Mr. Lowe, and Lord Carnarvon, when that noble Lord made a speech of great power in this House, in which he declared for himself that though those with whom he had been associated all the time that they were speaking against a reduction of the franchise might have meant to make a great reduction, he had been perfectly sincere in his resistance, and in proof of his sincerity he had left the Cabinet and given up the seals of the Colonial Department. I say, therefore, I could not, in the absence of any contradiction of the charges, do otherwise than conclude that they were true. Therefore, when I read in a Conservative newspaper what was said by Mr. Disraeli at Edinburgh, I took it all in what now appears was a mistaken sense. In the *Edinburgh Evening Courant*, a Conservative newspaper, Mr. Disraeli is reported to have said—

> "I had to prepare the mind of the country, to educate—if it be not arrogant to use such a phrase—our party, which is a large party, and of course requires its attention to be called to questions of that character with some pressure, and I had to prepare the mind of Parliament and of the country for this question of Reform."

Well, if I am guilty of having misunderstood these words, I say I am guilty with every reader of the speech and with the whole country. Seeing that he had "educated" his party, and as he said it required some pressure, it could hardly be upon those five points upon which Mr. Disraeli spoke; but which as my noble Friend has shown, were not opposed by us, and certainly required no pressure at all; but it must be that he "educated" them to adopt that reduction of the fanchise against which they had for many years constantly and vehemently protested. Well, I must say that if the opinion I formed was a mistake, or, as the right hon. Gentleman called it, a "misrepresentation," it was pardonable in me because I erred in common with many others, and that it was not until Mr. Disraeli's letter appeared that anybody thought he had been educating the people on those five points. Now, I must advert for a moment to those five points, although my noble Friend has gone over them all; for there are one or two things to be said which I cannot omit. The first point is that the measure should be complete—in other words that there should be a satisfactory measure of re-distribution, as well as a reduction of the franchise. Upon that point I do not think the Government have been very fortunate in making a final settlement of the question. The next point is that the representation of no place should be entirely abrogated. Well, that is a great principle, and I think that without a conviction for corruption, or unless there is a strong public case, some strong public necessity, the disfranchisement of a place is not justifiable. But in such cases as those which were dealt with by the Reform Bill of 1831, and such as that which existed last year when my noble Friend behind me (Lord Lyveden) proposed that some boroughs should be disfranchised, I think it was a just course to be pursued. But as the First Lord of the Treasury has recalled our attention to it I suppose it is one of the points, one of the principles upon which the Government must stand, and which they will not give up on any account. The next points are that there must be a real Boundary Commission, that the county representation should be considerably increased, and that the borough franchise should be established on the principle of rating. Upon the first two of these points I need not dwell, but with regard to the last point I will say that the principle of rating means very little of itself. You will find an £8 rating, for instance, equivalent to a £10 rental, and one of the witnesses who was examined before the Committee in 1860, said—

> "I put on everybody who is rated at £8, as a matter of course, as a £10 voter, because £8 rating is equivalent to a £10 rental."

Well, another course would be to take £5 rating, which I proposed in 1852, and which is the equivalent of £6 or £7 of rental. Well, a different course was adopted by the Government, for they took no value at all, but said that every person rated should have a vote. Therefore, to say that the borough franchise is to be established on the principle of rating is obviously nothing at all; it does not contain any declaration of principle, but is a mere elastic sort of rule upon which any practical proposition could be founded. To suppose that the Earl of Derby, that Mr. Disraeli, that the Lord Privy Seal, were all educating their party in order to induce them to accept the principle of rating, without saying how far that principle should extend, and to what extent it should go, is really so ridiculous that Mr. Disraeli could hardly have been serious at Edinburgh in telling his friends that that was the principle up to which he had been educating the Conservative party. There are two views of the conduct of the Prime Minister. One, which I rather believe to be the right one, is that his own opinion and that of the Earl of Derby and others of his Colleagues—though not of those three who separated from them —was that the franchise should be considerably reduced, that it should go as low as household suffrage, but that they did not make that opinion generally known, only instilling it quietly—or, as Mr. Disraeli said, with some pressure—into the minds of the party, with the view of its ultimate adoption by their followers. But there is another far more serious view than the mere question of rating, and it is one which the noble and learned Lord on the Woolsack must also think the more important—namely, that a very serious and decided opinion upon a great question of State, upon a great question of organic change, upon a great change in the Constitution of this country, has been deliberately sacrificed with a view to the maintenance of office and of power. Now, I will tell you what Mr. Disraeli said in 1865. He said—

> "Although I do not wish in any way to deny it—we were in the most difficult position when the Parliament of 1859 met, being anxious to assist the Crown and the Parliament by proposing some moderate measure which men on both sides might support, we did to a certain extent agree to some modification of the £10 franchise—yet I confess that my present opinion is opposed, as it originally was, to any course of the kind. . . . Between the scheme we brought forward and the measure brought forward by the hon. Member for Leeds, and the inevitable conclusion which its principal supporters acknowledge it must lead to, it is a question between an aristocratic Government in the proper sense of the term—that is, a Government by the best men of all classes—and a democracy. I doubt very much whether a democracy is a Government that would suit this country; and it is just as well that the House, when coming to a vote on this question, should really consider if that be the issue—and it is the real issue—between retaining the present Constitution—not the present constituent body, but between the present Constitution and a democracy—it is just as well for the House to recollect that the stake is not mean—that what is at issue is of some price."—[3 *Hansard*, clxxviii. 1702-3.]

Now, I want to know whether that is the opinion which the present Prime Minister holds at this moment. It was not an opinion formed suddenly. It was formed after some thirty years, during which he has taken a very prominent part in the debates of Parliament. It was an opinion formed, no doubt, with that consideration which the present Prime Minister is so well able to give to any subject. What I have read is followed by a passage as eloquent as any to be found in the speeches made in Parliament by the great orators of former generations. It is a description of what must follow if this country should be ruined; that you may have in America, in France, in Germany, an apparent overthrow of the State, but that those countries can recover from that apparent overthrow, whereas if England should once fall there will be no recovery and no hope of her regaining her former power. Well, I want to know whether that is the opinion of the Prime Minister at this moment; because, if that be his opinion, he has done a much graver thing, he has committed a much greater offence, than that of concealing his opinion for a time, with a view to educate his party up to the same standard. If that is what he has done he has, for this price, for the sake of power for some two or three years, endangered what he calls our aristocratic Constitution, but what is rather a monarchy founded upon an aristocracy and a democracy. He has done all in his power, according to his own opinion, to change this into a pure democracy. This is not my opinion. I do not think that the Act of last year will produce these effects. But if the right hon. Gentleman now at the head of the Government entertains the opinion which, after many years of political contest, he uttered in Parliament in 1865, and which he afterwards repeated at his election to his constituents in Buckinghamshire, a graver responsibility was never incurred by any man, and no English statesman ever made a worse bargain for his country.

The Earl of MALMESBURY: My Lords, you have this evening heard a discussion, such as, I am glad to say, I never heard in this House before, and I trust I never shall hear again. Generally speaking, in this House we keep strictly to the subject before us, and we do not bring one question before the House while pretending to bring forward another. Now, it is quite evident that the noble Duke who has introduced this subject has made a very simple question with regard to rates, the horse upon which he rides over us on the subject of the Reform Bill and of speeches made in other places by those who are not in this House, and who are not likely, for some time at least, to be in this House to answer for themselves. What is the principal subject of debate to-night — that which the noble Duke has made out to be the most important of the points laid before us? It is a speech made, or supposed to have been made, by Mr. Disraeli, 400 miles away. Is that a subject which, according to your Lordships' usages, ought to occupy a whole night in the House of Peers? From what has passed here to-night, I should almost have believed that the Bill of last year was not to reform, but to abolish the House of Commons, that that House no longer existed, and that the eminent men who spoke there up to the time when the Bill passed were no longer to be found there. The noble Earl and the noble Duke opposite have occupied your whole time in canvassing a speech made in Edinburgh by the Prime Minister, as if he were nowhere to be found and could not be got to answer it. Now, I do not think that the party opposite are so entirely without Friends in the House of Commons who could, if necessary, have extracted from Mr. Disraeli the occult sense of what he is supposed to have said, and have asked him to his face, before that House and the country, what he said, or did not say, and what he meant, or did not mean. Has the noble Duke no Colleague in opposition in the other House—no companion in official exile, to whom he could have given the task of ascertaining this? No! The noble Duke preferred, with all the virulence—I cannot help using the word—of a disappointed man in opposition, to make an attack upon the Prime Minister when he was not present to defend himself. I will not attempt to defend him. ["Hear, hear!" *from the Opposition.*] Yes, I understand that cheer. If my right hon. Friend were no longer living, I should feel bound to defend his memory if any speech of his had been garbled or misquoted. But at this moment my right hon. Friend is sitting in the full enjoyment of health and of his great faculties, within 100 yards of this House. Surely, the noble Duke and his party—for the manner in which the noble Duke was cheered showed that he was acting for his party — might have found some better means of attacking the Government than by misrepresenting the words and the meaning of my right hon. Friend, here, where he cannot answer for himself—with respect to a speech not made in Parliament, but 400 miles away. Then the noble Duke, no doubt, with the most sincere love and affection for the party behind me, wishes to persuade them that they have been almost insulted by the Prime Minister; that he has treated them like schoolboys, and that they ought to resent the expressions he has made use of towards them. He says that we must be a very forgiving party to pass them over, and that if any Whig Statesman had used such expressions towards his party they would never have forgiven him. Now, I think, I may say that we take no offence whatever at the words attributed to my right hon. Friend; we take them in the sense in which he spoke them and in which he has explained them. But if the Whigs are so unforgiving, I wonder what they said to expressions which seem to me much more offensive, and which are reported to have been used in "another place" by a Gentleman who is extremely respected by his party, and who has been their right hand man on many occasions, though I do not recollect just now whether he has ever held office. This Gentleman (Mr. Bouverie) not long ago described the Whig or Liberal party—I do not know whether there is any distinction between the two—as a miscellaneous multitude. I am putting his description into a mild form of words, for he used a stronger expression, and he said it was composed of two categories—those who would not lead and others who would not follow. I do not know whether the noble Duke's bringing this question before the House of Lords, to which the Prime Minister does not belong, is to be attributed to the fact that he could not get anyone to follow his lead in the House of Commons. I must make a few remarks upon what the noble Duke said with respect to the Reform Act, without, however, adopting the range of the discussion, which has exceeded the custom of the House in embracing all the Reform Bills of the last few years. When we talk of the rating clause, let me remind the House of one circumstance. Reform Bills proposed by the Governments of both parties had been rejected, but the House of Commons had never been called in confidentially to judge of its own re-construction. Both parties had laid down a plan, cut and dry, hard and sharp, and they had stuck to it. There are times when we must give up our notions and crotchets, and attempt to weld the opinions of the country into one solid mass. We are all led by a powerful deity which Byron calls "circumstance, that spiritual god and mis-creator;" and if the noble Earl does not admit that, he is not the statesman I believe him to be. If I were to hunt through his speeches I could prove that he has lost opportunities, misappropriated opportunities, and even contradicted himself; but it would be a waste of time to do so. It has been said that the battle of Inkerman was a soldier's battle, and that the Generals and officers had little to do with the result. Now, although I was an officer in the Reform battle of last year, I am ready to admit that the battle and the victory belong to the House of Commons itself much more than to the Government, and that is shown by the way the House of Commons took out of our hands the rating clauses. The original proposition of the Government was that every compound-householder should have a vote if he chose to pay his rates himself. It seemed to me that that was not a very hard condition to lay down. But what happened? Two Amendments followed; the House of Commons took the question into its own hands, and the present condition of things is that which the House of Commons established. The noble Duke has exaggerated the results of the law, which has not been in operation long enough for us to know how it will work. If it should be proved to be pernicious, as it has been described to be by the noble Duke, the House of Commons will be obliged to amend the law; but we have not come to that yet. It has been truly said that the principal sufferers are women, whether married or not married, who have no votes, and are yet prosecuted for the non-payment of rates. That is quite true; but I say again it was not the act of the Government; it was the act of the House of Commons. Had the original clause been accepted, women having nothing to do with the registration would not have been asked for rates, and no confusion would have taken place. With respect to the Question more particularly put to me by the noble Duke, I have to say that we have not received that large number of complaints respecting the present state of the law which he seems to imagine. Only one direct complaint has been preferred to the Poor Law Board against the system. There have been difficulties it is true in the collection of the rates, but further assistance has been provided by the appointment of additional collectors. The Government has consented to give Mr. Ayrton his Committee in the House of Commons to investigate the whole subject; and, under the circumstances, we had better wait and see the result of that inquiry. The noble Duke has exaggerated to the greatest degree the consequences of the new law. The only excuse which the noble Duke had for doing what he had done was, that he wished to make a violent attack upon the Prime Minister. He had done so, in an indirect manner, making the question of the unsatisfactory working of the rating clauses the pretence for his conduct.

EARL GREY: My Lords, I cannot allow the debate to close without saying that I fear the noble Lord who has just sat down is much mistaken in supposing that the noble Duke has exaggerated the evils which will arise from the change made in the law of rating by the Act of last year. I believe my noble Friend has, on the contrary, understated those evils. The noble Earl says the law has not been long enough in operation to enable us to judge how it will work. True, it has not been long enough in operation to make us feel the full evil effects of it; but it has been quite long enough to make us feel that these effects will be very bad indeed. We do not feel the full pressure yet, because the time has not come when the overseers proceed to levy distress for rates. We may judge of the evil that will arise when that time comes, as it will on the 29th of April, from what has already taken place. When the Reform Bill was before you I ventured to point out how improper it was to repeal the system of compounding for rates which had been introduced, after the fullest deliberation, first by private Bills, and then by general legislation, and after inquiry by the Poor Law Commissioners and by Committees of both Houses. The law of composition, which had been proved to be necessary and useful, was swept away without discussion by a single clause agreed to by Government most unexpectedly when proposed by an independent Member of the House of Commons. I am not blaming one party more than another; I think the Opposition quite as responsible for this great mistake as the Government. The Leaders of the Opposition not only promoted the adoption of the clauses suggested by Mr. Hodgkinson, but when the parochial authorities of the East End of London waited upon some of the principal Members of the Opposition to point out the very serious evils which would arise from the passing of the law, they said, "We grant the evil, but we cannot forego a great political object." [Earl RUSSELL: Mr. Gladstone proposed to continue compounding.] On the contrary, if you refer to his interview with the parochial authorities you will find that he declined to do so; and my noble Friend refused to vote upon my Motion in this House when I thought it necessary to divide upon it. That precipitate and hasty change in the law was as much the work of one party as the other. It does not follow it was not a great mistake, and neither the Government nor Parliament will be doing their duty to the country if they do not seriously consider without delay what means can now be taken to remedy the evils that have arisen. We have placed a great preponderance of power in the hands of the small householders in the country, and at the same time we subject them to hardship and inconvenience from which they have hitherto been exempt. It is stated in the newspapers that in one parish in the East of London no fewer than 6,000 summonses were issued at one time against defaulters in the payment of rates; and a great number of persons have been summoned in like manner in other parishes both in London and in the great manufacturing towns. It is true that at present no attempt has been made to enforce the payment of rates by distress, but, nevertheless, the time is coming when it will be necessary to do so. The parochial officers will be thus brought into direct contact with the poorest of the ratepayers, and in the event of the latter not being able to pay the money due from them it will be necessary to call upon the ratepayers immediately above them, who are already hardly able to keep their heads above water, to make up the deficiencies caused by the defaulters. At a time when everybody admits that the relief in the East of London is extremely inadequate, is Parliament prepared to allow a percentage—as much, in some cases, as 25 per cent—to be taken off in consequence of the occupiers of small houses being personally rated? Or is Parliament prepared to adopt the alternative of levying distresses upon thousands of working-men—a process by which their homes would be sold up, while perhaps not sufficient money would be recovered to defray the legal expenses incurred? I confess I see with great concern a question so deeply affecting the welfare and even the safety of the kingdom treated with such inconceivable lightness, merely because last year it suited the convenience of both political parties to pass the matter over hastily and inconsiderately. The Government rashly proposed a measure, and the Opposition offered no objection to the ratepaying clauses because they did not wish to appear to limit the franchise. The result was that both parties concurred, without any serious discussion, in adopting a measure which is now leading to the serious consequences which were predicted at the time by the parochial authorities, and to which I also ventured to call your Lordships' attention. This is a subject of such great and pressing importance that it ought not to be left in its present uncertain and unsatisfactory state.

EARL GRANVILLE said, he was perfectly satisfied with the speeches which had been delivered on that side of the House, and he might also remark that he was satisfied with the answers which had been made to them. He did not wish, therefore, to add a single word in reference to the general subject of the debate, but the noble Earl who had just sat down complained that the two parties in the House of Commons were equally responsible for the unfortunate position in which they had been placed by the ratepaying clauses of the Reform Act. He wished to remind the noble Earl that the Opposition had to choose between two great evils. Mr. Gladstone had in the strongest manner pressed upon the House the importance of the Acts relating to compound-householders in the different boroughs, but when it came to the point that the House were called upon to agree to a clause affecting to give household suffrage, yet, in fact, taking away the greatest part of that boon, the Opposition sacrificed the greater for the lesser evil, and passed that clause, which was proposed, not by Mr. Gladstone, the Leader of the Liberal party, but by an independent member of that party, who had himself never been in office.

THE EARL OF DEVON rose principally for the purpose of expressing his concurrence in what had been said by his noble Friend the Lord Privy Seal, as to the fact of one communication only on the subject having been received by the Poor Law

Board. But, though the Board had not received more than one personal application, they were, nevertheless, fully alive to the serious character of the change which had taken place, and would not fail to watch with anxiety and care the consequences which might result from it. He believed that sufficient time had not yet elapsed to enable them to judge of the effect of the change upon large populations. There were several large towns in England in which no rate whatever had been struck since the passing of the Act last year, and in regard to them it was obviously impossible at present to ascertain the operation of the statute. With regard to the statement of the noble Earl opposite, that there would be a great loss of rates, he might mention that there was no detailed or general Report on which a judgment could be formed; but he was bound to say that, from private inquiries which had been instituted, there was reason to believe that in those cases, at least, in which inquiry had been made there would be as large an amount of rates collected as was raised under the old system. With regard to the difficulty of collecting rates in the East of London, he could only repeat what his noble Friend had stated, and refer to the exceptional circumstances in which several large parishes in that part of the metropolis have been placed during the last six or eight months. It was, however, undoubtedly true that a large number of summonses had been issued; but this was an evil which might be modified by the introduction of some new provisions respecting the process by which persons unable to pay their rates might obtain the right of being excused from payment. At present, every person who wished to be excused had to make a personal application to a magistrate; and it was only with the consent of the overseer that individuals were excused; but he thought it would be better to abolish the necessity for a personal application, and to empower the overseers to prepare and submit to the consideration of the magistrate a collective list of the persons who were unable to pay their rates. Such a change would, in his opinion, greatly diminish the hardship and difficulty which at present obtained, and was well deserving of, the consideration of the House. Without expressing any opinion on the Reform Act or its political bearing, he might state that the party with whom he was associated would not fail carefully to watch its operation and effect on the ratepayers of the country.

POOR RELIEF BILL [H.L.]

A Bill to make further Amendments in the Laws for the Relief of the Poor—Was *presented* by The Earl of DEVON; read 1ª. (No. 39.)

TENURE (IRELAND) BILL [H.L.]

The Lords following were named of the Committee; the Committee to meet on *Monday* next, at Half past Three o'Clock, and to appoint their own Chairman:

D. Devonshire
M. Bath
E. Devon
E. Clarendon
E. Lucan
E. Grey
E. Stradbroke
E. Kimberley
V. Lifford
L. Clifton
L. Somerhill
L. Chaworth
L. Stratheden
L. Clandeboye
L. Churston
L. Westbury

House adjourned at Eight o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 13, 1868.

MINUTES.]—PUBLIC BILLS—*Ordered*—Inclosure.*

First Reading—Registration of Writs (Scotland)* [62].

QUEENSLAND—LABOURERS FROM THE SOUTH SEA ISLANDS.

QUESTION.

MR. TAYLOR said, he wished to ask the Under Secretary of State for the Colonies, Whether his attention has been called to the practice of importing labourers from the South Sea Islands into Queensland; and if he will lay upon the table any Papers or Correspondence on the subject?

MR. ADDERLEY said, in reply, that his attention had been called to that subject. The practice had been in existence since the year 1863, and the Reports on the results of importing labourers into Queensland were very favourable, and all that was wanting was such legislation as would insure the proper treatment of the immigrants. Complaints, however, having reached the Colonial Department, inquiries had been made of the Governor, and draft regulations had been sent out both as to the recruiting, shipping, and treatment on landing of such immigrants. The Legislature of Queensland had, however, passed an Act for that purpose which crossed these suggestions on the road, and which was completely satisfactory. The hon. Member might confer with him as to the parts of the Correspondence on the subject which it would be desirable to produce.

SCOTLAND—EDUCATION.—QUESTION.

Mr. CRAUFURD said, he rose to ask the Lord Advocate, Whether he intends to propose any Educational Measure for Scotland in the present Session; and, if so, whether it is to be framed in accordance with the Bill suggested by the Scottish Education Commission? He would also beg to ask, whether the Bill will contain provisions for compulsory attendance at school?

The LORD ADVOCATE said, in reply, that it was the intention of the Government to introduce a Bill relating to Education in Scotland in the course of the present Session. He might, at the same time, state that the delay on his part had, to a great extent, been caused by a desire to afford facilities for representations to be made by persons representing various religious and other important bodies in Scotland, in reference to the recommendations of the Commissioners. Those representations had now been received, and the Bill would, he hoped, soon be brought in. An additional Report had been made by the Educational Commissioners, and would shortly be issued, dealing with the subject of normal and other training schools, which had a material bearing on the question of elementary education. He trusted the hon. and learned Member would excuse him for not answering the concluding part of his Question, because it was a subject that would require to be approved by the Government before it was introduced into the Bill.

IRELAND—PARTY PROCESSIONS.

QUESTION.

Colonel STUART KNOX said, that before putting the Question that he had placed on the Paper, he wished to express his astonishment, as he had already done to Mr. Speaker, that in that day's Votes it appeared in a mutilated condition; he supposed on account of what he might call the unwarrantable attack made upon him yesterday by the hon. Member for Devizes (Mr. D. Griffith). His (Colonel S. Knox's) only object in putting the Question was to relieve the minds of the loyal inhabitants of the North of Ireland, who, while always ready to obey the law, writhed under the partial operation of the Processions Act. The Question he wished to put to the Chief Secretary for Ireland was, Whether the Government, having vindicated the Law by obtaining the conviction and punishment of Mr. Johnston, of Ballykilbeg, and other Orangemen, for offences against the Processions Act, (which had not proved itself impartial in its working), will in deference to the feelings and wishes of the loyal inhabitants of the North of Ireland, recommend the clemency of the Crown, and the remission of the remainder of their terms of imprisonment?

Mr. DARBY GRIFFITH, said, before the noble Lord answered that Question, perhaps he would allow him to put to him the Question of which he had given notice on the same subject — namely, Whether, with a view to the vindication of the equal and impartial administration of the Law in Ireland, it is the intention of the Government to yield to any Parliamentary solicitations in favour of Mr. Johnston, until he has expressed regret for his late proceedings, and has himself petitioned for the exercise of the mercy of the Crown in his own favour?

The Earl of MAYO said, he hoped the House would permit him to state as briefly as he could what had taken place in that matter, as it was one of considerable importance. On the 28th of February last, at the Downpatrick Assizes, twenty-five or twenty-six persons were indicted for breaches of the Party Processions Act, committed in various districts of the county of Down, and also on two separate occasions—namely, the 12th of July and the 15th of August. All of those twenty-five or twenty-six persons pleaded guilty except three, when the Attorney General, with the full concurrence of the Judge, suggested that they might be allowed to stand out on their own recognizances. Their counsel stated that they regretted extremely having been guilty of those offences, and promised faithfully that they would not be parties to any breach of the law for the future. The twenty-two or twenty-three persons who took that course were thereupon allowed to stand out on their own recognizances. The three others —one gentleman (Mr. Johnston) and two men of humble rank — refusing to take that course were placed upon their trial, which lasted a very short time and ended in their conviction upon three out of the five counts of the indictment. That being the case, the Judge sentenced them to imprisonment for one month, with a further imprisonment of a month in the event of their being unwilling or unable to enter into recognizances to keep the peace. On the 29th of February Mr. Johnston presented a Memorial to the Lord Lieutenant, stating that he had refused to accede to the terms offered by the Attorney-General, not because he was actuated by any spirit of opposition to the law or the authority of the Government, but because he could not say conscientiously that he had acted inadvertently and without deliberation on the occasion of joining and becoming a party to the procession of the 12th of July, having attended the meeting after full consideration and with a full knowledge of what he was doing. That he accepted the verdict which had been given by a jury of his countrymen, and did not complain of it; and that, in so far as that portion of the sentence which related to his recognizances was concerned, he was perfectly willing to enter into them at once, and to give bail in the way that was required. He made no request for himself, but requested that his two fellow-prisoners, who, he said, acted in the whole matter under his advice and suggestion, should be released. That petition was forwarded to the Lord Lieutenant, and referred to the Judge, who very naturally said that as it did not come from the prisoners themselves, but from a fellow-prisoner who did not ask for any remission of his own sentence, he did not think it his duty to offer any opinion on the subject. On the next day the Lord Lieutenant returned for answer that, as Mr. Johnston's memorial did not contain any request with regard to himself, his Excellency could not act upon it; but that if Mr. Johnston or the other petitioners memorialized in the ordinary way, their petitions would be considered in the usual course. On the 9th of March the two prisoners M'Whinny and Keatinge petitioned the Lord Lieutenant, stating that they regretted having committed the offence of which they had been convicted, and promised never again to be guilty of any breach of the Law. Their memorial was referred to the Judge, who next day answered that he thought they were entitled to favourable consideration as far as remitting the remainder of the sentence went; but that if they were released they should be required to enter into the necessary recognizances. On the 9th of March the Lord Lieutenant ordered the remainder of the sentence to be remitted with regard to those two men. He believed that yesterday they entered into recognizances, and he had no doubt they were discharged to-day. On the 9th of March a medical certificate was forwarded by the medical attendant of Downpatrick Gaol, stating that Mr. Johnston was a very delicate man, and that any further confinement would be attended with serious consequences to his health. On the 10th of March the Lord Lieutenant, having taken this representation into consideration, ordered Mr. Johnston's release on completing the recognizances, as, in his memorial, he had offered to do. Yesterday, however, the Lord Lieutenant received the following letter:—

"Down Gaol, March 11, 1868.

"May it please your Excellency,—I regret that I find myself unable to comply with Dr. Maconochy's request and complete the recognizances, on which condition, he says, my discharge will be granted, as my health is deemed by him likely permanently to suffer from the two months' imprisonment. The Memorial which was sent forward to your Excellency in favour of the other prisoners, and signed by me, in which I stated myself prepared to give the required bail, was drawn up by counsel, and signed by me without full consideration. I feel now, however, that to appear in any way to plead guilty to the charge of intention to create animosity and provoke a breach of the peace would be wrong in principle, and I am prepared rather to risk my health (trusting in God's providence) than so implicate myself and those who acted with me. My action in this matter is not, however, prompted by any desire to violate the 'Party Processions Act' as long as it remains on the Statute book, as I have no design of doing so, but by what I believe due to my principles and my party.

"I have the honour to be, your Excellency's obedient servant, "W. JOHNSTON."

In consequence of the receipt of that letter, Mr. Johnston had not been discharged.

ARMY—THE ROYAL MILITARY COLLEGE.—QUESTION.

COLONEL ANNESLEY said, he would beg to ask the Secretary of State for War, Whether it is in contemplation to alter the age for admission to the Royal Military College; and, if so, whether due notice will be given before such alteration takes effect?

SIR JOHN PAKINGTON said, in reply, that it was in contemplation to make considerable reductions in the ages at which young men entered the Colleges at Sandhurst and Woolwich. Due notice would, however, be given when the changes were likely to come into operation.

NAVY—THE DOCKYARD COMMISSION.

QUESTION.

In reply to Mr. CHILDERS,

LORD HENRY LENNOX said, that the Dockyard Committee had sent in their Report a month ago, but that the Report had been referred to the various dockyard authorities for suggestions. As soon as these were received they would be laid before the Admiralty in the first instance; and the Report would then shortly be in the hands of Members.

STATE OF IRELAND.

MOTION FOR COMMITTEE.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [10th March],

> "That this House will immediately resolve itself into a Committee, with the view of taking into consideration the condition and circumstances of Ireland,"—(*Mr. Maguire:*)

And which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "before the consideration by this House of constitutional changes in the laws and institutions of Ireland, it is both just and expedient to inquire into the causes of alleged discontent, and the best mode of remedying ihe same,"—(*Sir Frederick Heygate,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. CHICHESTER FORTESCUE expressed a hope that the House would be of opinion that the hon. Member for Cork (Mr. Maguire) was fully justified in bringing the condition of Ireland under consideration. The House also, he thought, was only doing its duty in making the question the subject of an important debate. As for himself, he felt that a time had come which called upon Parliament to make up the arrears which had accumulated in the matter of Irish legislation, and he thought that the task would be rendered more easy by the very circumstances of the time; for great difficulties, while they imposed obligations, sometimes constituted opportunities. He believed that a large number of people in this country felt the present condition of Ireland to be intolerable. They regarded Fenianism, accompanied as it was with outrage and alarm, the suspension of the Habeas Corpus Act, and the military occupation of Ireland, as something which could no longer be suffered. It would be a remarkable instance of good coming out of evil if Fenianism should induce the House and the country to deal with the Irish problem and, above all, with the State Church in Ireland. He saw no reason to despair with respect to the task he had referred to, but, on the contrary, he was convinced that if they boldly persevered in that course of remedial legislation which had been entered on in former times, but which latterly had been much interrupted, they would obtain greater success than those who had preceded them. The Chief Secretary for Ireland had presented a picture, perhaps too highly coloured; but he admitted that it afforded ground for hope, though he could not agree with the noble Lord or the right hon. Member for Calne in thinking Fenianism so insignificant a matter. They might easily devote too much of their attention to the Fenians in America, whom they could not touch, whilst they neglected Fenianism at home which they could influence at once. Although it was true that Fenianism did not command the sympathy of men of rank and education that former Irish insurrections possessed, he was not at all sure that it was less formidable on that account. Its leaders, though perhaps of a lower class, were certainly more numerous than in former times, and numbered amongst them strangers, or semi-strangers, trained in the dangerous school of civil war in another country. Besides this, the rank and file of Fenianism was not composed, as that of the Rebellion of 1798, of ignorant peasantry; but consisted to a great extent of an educated and thoughtful class of revolutionists existing amongst the artizan class in Ireland. It was, in fact, a more thoughtful and civilized revolution than that of 1798; but it was not, therefore, less formidable. The true difference in the present instance as compared with former occasions of a similar kind in Ireland was this—that while the revolutionary movement was more formidable, the forces on the side of law and order were much greater. Those forces now consisted not merely of the Protestant body, but of a very large and influential class among the Catholics in Ireland, who had grown enormously in wealth, influence, and good feeling towards this country under the more just and salutary system of legislation pursued in recent years. That observation extended to the clergy, those connected with the land, the mercantile, professional, and almost the whole middle class. He appealed, as an illustration of this, to the admirable conduct of the Irish juries during the late political trials. They had performed their duty towards their country with true patriotism and an independance worthy of all praise. He could not help contrasting the spirit thus exhibited with the state of things in 1844, when charges were made against the Government in relation to the improper and unequal composition of juries. No such charges were made now-a-days, and this was creditable to the Government and encouraging to the friends of Ireland. Yet, in spite of all this, they found, alongside of comparative prosperity and improvement, danger and disaffection. How had they attained to this improvement? Not by coercion or suspension of the Habeas Corpus, not by the maintenance of what was called the Protestant interest, or the Protestant garrison of Ireland. No; but by what his noble Friend called the "new policy" which had been inaugurated in that country, and in which the Liberal party might take just pride—by the complete reversal of the former policy. The Act of 1829 had been followed by the Reform Act of 1832. That great Act produced a long list of admirable measures for Ireland — municipal reform, tithe reform, popular extension of the franchise, Poor Laws, the Encumbered Estates Act, a large and popular system of education, besides very great and inestimable changes in what was most important — the administration of Ireland. That produced Catholic judges, Catholic magistrates, the impartial composition of juries. To these, under the blessing of Providence, they owed the real improvement which had been effected in Ireland. This progress had continued for some time, but of late years it had been considerably checked; for in his opinion, with respect to Irish affairs, politicians in this country, not excluding the Liberal party, had sunk into stagnation and indifference. With such results to guide them, he believed that the Reformed Parliament would emulate, if it did not surpass, the exploits of the Parliament of 1832, and that even the present Parliament might begin the good work. And now he had to ask the House what assistance did they receive from Her Majesty's Government in the pursuit of this policy? He would say nothing on those subjects which were under the consideration of Royal Commissions, such as the questions of railways, and national primary education; nor would he say anything with regard to the Reform Bill, because at present they did not know what it was. But they had been informed within the last two nights what were the intentions of the Government with regard to the subjects of University education, the land, and the Church in Ireland. With respect to education, he must say that he had listened last night to the speech of the Home Secretary with considerable pleasure and satisfaction. He did not refer to any particular measure indicated by the right hon. Gentleman, but to the general tone of his address, which, in a prominent politician representing any considerable portion of the House, and particularly in a Minister of the Crown, was not a matter of indifference to the people of Ireland. He had always considered himself a temperate advocate of united education, as became an old advocate of the National system in Ireland and a reformer at Oxford. As a University reformer his personal views were of a very lay character indeed; and he would throw open Oxford as wide as the nation itself. He was not one of the class often described as clerically-minded men. But he was not able to rise to that height of devotion to united education which considered it as a sort of universal religion, to be propagated *vi et armis*, at all times and seasons, regardless of the wishes and feelings of those who were to be subjected to it, although it appeared to be looked upon in that light by many eminent Members of that House. He was the more suspicious of this doctrine when carried to an extreme, because experience had taught him that the doctrine of united education, although prevailing honestly in the minds of a small number of philosophical and enlightened men, assumed in the minds of the many the familiar and vulgar form of "No Popery." These were the feelings with which he approached the consideration of the proposal of Her Majesty's Government with regard to University education in Ireland. He felt so strongly the claims of the Catholic population of Ireland to absolute equality at the hands of Government in the matter of University education, and the excessive privations in this respect under which they had laboured so long and were now labouring, that it was impossible for him to meet any proposal which professed to meet the claims and wants of the people of Ireland with any hasty hostility. He felt that the establishment of Protestantism in

Ireland had perverted, and in a way denationalized, the whole system of University education. At the same time, he could not help feeling that the proposal of Her Majesty's Government was calculated to startle a great many hon. Gentlemen who sat in that House. It undoubtedly carried the denominational principle further than any responsible Minister had ever attempted to carry it. In dealing with educational matters it was necessary to draw certain distinctions, depending upon the institutions with which they were dealing, and the class of persons which would be affected by the proposed changes. Thus, distinctions must be drawn between the day schools, which were the ordinary National schools of Ireland, and boarding schools, such as training Colleges, where the children were removed from their parents' supervision. He also drew a distinction between a University and a College—a distinction which they were all aware had been drawn by many eminent members and representatives of the Catholic body in Ireland in the course of last year. As far as he knew, those Members and representatives of the Irish Catholic body were willing, and even anxious, to accept a united University, representing both religions, maintaining a certain standard of degrees, open to students of all religions, while, at the same time, they strenuously maintained the position that the members of their Church should be brought up in their own Colleges, without any admixture of other religions. That was a distinction of the most legitimate and natural kind ; but it was ignored by the present scheme, which proposed not only to maintain denominational Colleges but to establish denominational Universities. He was most anxious to make the great University of Dublin a truly national University. The noble Lord the Chief Secretary for Ireland said the other night that it was a Protestant institution, established for the benefit of the Protestant people of Ireland. No doubt that University was instituted by Queen Elizabeth as a Protestant institution ; but she did so in the belief that the people of Ireland would before long embrace the Protestant faith. Neither Queen Elizabeth nor her advisers had any notion that in the middle of the 19th century the vast majority of the Irish people would still be Catholics. Among a number of schemes for the pacification of Ireland which had been sent to him he had received a proposal from a person who signed himself "A Descendant of one of the Boys who shut the Gates of Derry," whose simple remedy was that the Irish people should all turn Protestants. As, however, the Irish people had not thought fit to follow that advice, the only just thing to be done was to make the Dublin University an Irish University in the fullest and most national sense. He believed that that ancient and famous University possessed advantages which no modern institution could obtain. It had a prestige which a new creation could not hope to possess. It would always command the most eminent professors, and its degrees were of such value as to be a passport everywhere to the young Irishmen who obtained them. There was this difficulty in the way of the Catholic people—if they accepted the proposal of the Government to give them an exclusive Catholic University for themselves, they would find it extremely difficult to call upon the Protestants of the University of Dublin, to cease to be exclusive. This was, however, a question mainly for the decision of the Irish Catholic people, and if they thought fit to accept the proposition of the Government, he should be the last to offer any opposition to the scheme. But, even assuming that the House would agree to adopt this proposal, he denied that it would have the effect of finally solving the University question in Ireland. There were other bodies and classes in Ireland beside the Roman Catholics. He held in his hand a memorial from the Magee College, a Presbyterian establishment at Derry, to the Lord Lieutenant of Ireland, in which they complained that they were not admitted to the privilege of taking degrees at the Queen's University, and called upon the Lord Lieutenant and Parliament to satisfy their claims in that respect. The next question upon which the Government had given them some information was that of the land tenure. He would read an extract from a speech of a great Irish authority upon this question, Mr. O'Connell, who said—

> "It is a subject replete with the utmost difficulty. Its solution is filled with dangers. It would require the aid of the honest and feeling portion of Irish landlords to enable the honest and conscientious friends of Ireland to place the relations between landlord and tenant on a satisfactory footing to both."

That was the kind of feeling with which he (Mr. C. Fortescue) approached this question. It would be most unfortunate for Ireland if Parliament were to be deprived of the assistance of her landlords in endeavouring to effect some change in the land laws which might prove beneficial to her. This, however, it was a part of the plan of the hon. Member for Westminster to do. Notwithstanding the great respect he felt for that hon. Member, he was bound to say that, upon this point, he totally differed from him. He did not deny that such tremendous changes would be justifiable and righteous if they were absolutely necessary for the salvation of the people of Ireland; but it was because he did not regard them as being necessary to this result, that he was not favourable to the proposal of the hon. Gentleman. It appeared to him to be a plan which might be described as a policy of despair under the panic of Fenianism, and he earnestly hoped that other means might be found to improve the condition and promote the contentment of the people of Ireland, which would lead to the revival of hope in the breasts not only of the people of that country, but in the breast, also, of the hon. Member for Westminster. He could not leave this portion of the subject without expressing a hope that the hon. Member for Westminster, his hon. Friend the Member for Cork, the hon. Gentleman the Member for Kilkenny, and others who shared their opinions, whatever their own views might be, and however inadequate they might deem the remedies proposed by politicians in that House, would not treat every proposal based upon the existing rights of ownership of land with contempt or hostility. He thought that any improvement suggested by the Government of the day ought not to be treated lightly; and, with this feeling, he had listened to the speech of his noble Friend the Chief Secretary, and he would at once say that he should be prepared to approach the consideration of his Bill without any hostile feeling, and to co-operate, if possible, in any attempt at improvement. He was one of those who were not prepared to deny that there were some good and useful provisions in the Bill of last year, and he was much mistaken if the noble Lord would not, had he proceeded with that measure, have encountered more opposition from among his own Friends than from that side of the House. He sincerely wished that he could induce his noble Friend to introduce into the Government measure the principle which lay at the foundation of the Bill proposed by the late Government—the principle which reversed the rule of English law that the improvements effected by the tenant became at once the property of his landlord. He was convinced that such a change in the law would be just in itself, and would have effects beyond what were generally expected by those who had not thoroughly studied its operation. He was far from saying that more might not be added to such a measure, consistent as all such additions ought to be with the rights of owners of property, in the way of giving the tenants the advantages resulting from their improvements; but he should regard it as a great step gained if the House could be induced to accept the principle he had referred to. With regard to the Commission upon which the noble Lord had dwelt, he could not see how such an inquiry would be attended with advantage; indeed, he believed that the announcement of the appointment of such a Commission would prove the most formidable obstacle in the way of legislation. In the face of such a Commission the noble Lord would, he thought, find it a very difficult task to persuade the House, and especially the Members of his own party, to take any step in the way of Irish land legislation, when they knew that a Commission was prosecuting its labours on the subject. He confessed, too, that the description of that Commission and its objects, as given by his noble Friend, were not such as to increase his liking for it. Its main object appeared to be to afford the Irish landlords an opportunity of clearing themselves from the charges which had been brought against them by the hon. Member for Westminster and the hon. Member for Birmingham. [Mr. BRIGHT was understood to say that he had made no charges.] He had heard many unfair and unjust things said against them; but he did not think there was any class in the civilized world more improved than the landlords of Ireland, and he looked to them, in spite of their shortcomings and occasional abuses of power, to aid the Legislature in the work of improving and regenerating Ireland. But he thought there was no danger of the House being led away by any extreme tenant-farmer view. He did not believe that any class in the country was so badly and inadequately represented in that House as the tenant-farmer class. The danger lay in the opposite direction—that of the prejudices of the landlords, and if he thought that any Commission would aid in getting them out of that danger, it would have his hearty support. But he believed that they had quite enough information on the subject. From experience he knew the timidity and suspicion which influenced the tenant-farmers of Ireland, and he could not believe that the appointment of this Commission would induce them to make any confession, or make public their causes of complaint. He had never accused the Irish landlords of any flagrant abuses of their power; but certainly acts were committed in Ireland which, though not always regarded as harsh or extraordinary in that country, would be so described in this. What the Irish tenant most dreaded was not eviction—though evictions were not uncommon; his chief fear arose from the fact that the landlord's rent, was too apt to follow hard upon the tenant's improvement. For instance, he happened to know of an estate on which the rental had been raised upon seven different occasions during ten years, until the landlord had raised it to what he thought a proper standard. Of course, the enterprizing tenants in such a case suffered most, because the return made for improving the land became an increase in the rent. On the other hand, one of the very best and most intelligent land managers in Ireland, who, by the way, was a Conservative, had publicly stated that, in his view, rents should not be raised on an Irish estate at shorter intervals than twenty-one years. [Mr. CONOLLY: Hear, hear!] He was glad to hear his hon. Friend approve that. Concluding his consideration of the land question, he did not attach much importance to the Commission; he was afraid it would interfere with legislation, but would gladly give his noble Friend's proposal his best consideration. Proceeding to discuss the Church question, which he styled the question of all Irish questions, he regretted that it occupied a very subordinate and equivocal position in the speech of his noble Friend. A Motion was made more than twenty years ago in that House of the same nature as that which they were then discussing, and in the course of it Sir James Graham said—

> "I admit that the subject of the Protestant Church by law established is regarded by the people of Ireland as the most important of all the subjects to be considered, and I am afraid it lies at the bottom of all our difficulties."—[3 *Hansard*, lxxii. 784.]

Those words were as true in 1868 as they were in 1844, and much as had been said and written on the subject of the Irish Church, he was convinced that the importance of the question and the results which would flow from its equitable settlement had been immensely under-rated. The beneficent change of a system of inequality and injustice on a great scale into a system of justice and equity would be so great that, though we might foresee some of its consequences, our imagination must fail to comprehend them all. Let them consider the present position of things. The establishment of a small minority, forming not much more than one-half even of the Protestant population of Ireland, in the position of a State Church, was one which could not possibly have come to pass or be maintained in any independent country. It was therefore, not by a figure of rhetoric but as a matter of fact, a great institution maintained in one country by the external force of another. This was a great social and political question; that it was of an ecclesiastical, and, in some sense, of a religious character was a mere accident. Any great institution maintained against the feelings of a country would produce much the same effect as the Anglican Church in Ireland had produced, and would produce. That it was an ecclesiastical question was an additional difficulty. No doubt it did, and would, excite those religious passions which were much to be deprecated. It had no doubt produced feelings in Ireland on both sides incompatible with the Christian religion. While in former days it made the Establishment the most worldly Christian body in existence, in these days—when the clergy of the Established Church had, he freely and gratefully admitted, greatly changed and immensely improved—it put that body and its clergy in a totally false position; deprived them of their due influence beyond the borders of the Church, and narrowed the spirit and religion of the Established Church in Ireland to the small limits of a no-Popery theology. The Church question was connected with and adversely affected everything in Ireland; the land question was an example of this; it could not be considered apart from the Church, the two questions were so intimately connected. Arthur Young, the prince of travellers and observers, saw this ninety years ago in what he called the abominable distinction between the landlord and tenant in the matter of religion, which he said "converted the Protestant landlord of an estate inhabited by Roman Catholic tenants into a despot who knew no law but that of his own will. He saw it when he said that the first cause of Irish distress was the oppression of the

Catholic people by means of a system of unequal laws, which converted the minority, including the landlords, into masters, and the majority, including the tenants, into something not very different from serfs. He believed that, as religious inequality had ruined the relations between landlord and tenant, so religious equality, absolutely carried out, would do much to restore and improve those relations. That view of the case, so evident to observers in former days—to Swift, to Young, to Burke—had been very well brought before the public by an hon. Friend of his, the Member for Cork, who had lately written a pamphlet in the name of "An Irish Catholic Member." With great practical experience he had pointed out the effects which follow such relations between landlord and tenant in respect of political electioneering and many other matters. What could be more exasperating than a state of things in which the Protestant landlords of Ireland, quite as a matter of course—because very strange things happened as matters of course in Ireland—expected to maintain, and did maintain, the system of Protestant ascendancy by means of the votes of Roman Catholic tenants? Speaking literally and without exaggeration, he believed this to be an every-day matter in Ireland; and he ventured to say it was without parallel. The institution of genuine religious equality, however, would put an end to such things, and improve the relations of landlord and tenant in a hundred ways, and among other things lead to the granting of a better security of tenure to the tenant by lease or otherwise. He believed it would break down the wall of separation in point of feeling and interest between the landlord and tenant, bind in fellowship the loyal Protestant and the loyal Catholic, raise the self-respect of the Catholic body from the highest to the lowest, increase their claims upon the respect of other classes, and, converting Ireland's two nations into one, create a healthy public opinion throughout the country. And now with reference to this great question of the Church, what information had the Government afforded? Practically, none at all. What policy had it proposed? None, except it be the maintenance of things as they are. There were, indeed, expressions used by the noble Lord the Chief Secretary of a very vague kind, which seemed to mean that if the Catholics of Ireland would accept the payment of their priests from the Parliament, he would be very glad to give it to them. He would be a bold man, however, who undertook to speak for the House of Commons on that subject. The Home Secretary gave the House to understand last night, as the result of the Commission of Inquiry into the revenues of the Irish Church, that there might be found some small surplus over and above all the necessities of the Church, and that then the question might arise what should be done with that surplus? The meaning of that was that at this time of day, in the year 1868, Her Majesty's Government were painfully working up to the level of the Appropriation Clause of the year 1834. But it seemed that not even that point had been attained. There being, then, no door of hope in any of these proposals, and nothing but dark hints and insinuations by the Government, the situation of the House was this—that upon the great question of the Irish Church the Government would do nothing and propose nothing. The Secretary for Ireland came to the House and made a statement of Irish policy, the only counterpart to which would have been if Sir Robert Peel had in 1828 or 1829 come down with a charter for a Catholic University in one pocket, and a Commission in the other, without a Bill for Catholic Emancipation. The question of the Irish Establishment held, and must hold, the same place in the view of the House and the country as Catholic Emancipation did in 1829. Well, what were the reasons and excuses presented by the Government for not doing anything and not announcing any policy? First, they said there was a Commission of Inquiry now sitting, which was proposed by Earl Russell. He could answer for the noble Earl that he had no idea whatever, in proposing that Commission, of producing delay in the settlement of the Irish Church question. He intended, on the contrary, to promote the settlement of the question by that means, and he had every reason to expect that the Commission which was appointed last summer would have reported by this time, and would have supplied the Government with the materials of legislation. But the fact was that this inquiry, however useful in its way, had nothing to do with the problem before the House. That question was, whether there should or should not be maintained a State Church in Ireland for the benefit of a small minority of the population? Whether the property of the Established Church turned out to be £100,000 or £200,000, more or less, had nothing whatever to do with the duty of that House in the matter. The right hon. Gentleman the Home Secretary told the House last night that they must not ask the Government one word on this subject at the present moment, because his right hon. Friend (Mr. Gladstone) would not undertake to deal with it three years ago. A more futile excuse he had never heard. He did not mean to say that the House or that the Liberal party were free from blame in the matter. They were open to the charge of supineness and indifference; but no human being would assert that his right hon. Friend was bound in 1865 to undertake to settle the great question of the Irish Church. It would have been absolutely Quixotic on his part in the then temper of the times and in the situation of Parliament, and the work to be done by Parliament, to have given such a pledge. The great question of Reform was unsettled, and was waiting for settlement. These things depended upon times and seasons. [*Cheers.*] He meant that remark not in a partizan sense, but in the sense of public duty and mere possibility. In these matters, duty and obligation went along with possibility, and neither went beyond it nor fell short of it. After a lapse of several years, when a settlement of these questions became possible, and therefore obligatory, Catholic Emancipation, Parliamentary Reform, and Corn Law Repeal were carried, and the same thing would happen in the case of this, perhaps a greater question than all, the question of the Irish Church. Parliament had settled the subject of Reform, and both countries now waited to see what was to be done about the Irish Church. The public mind had ripened for it, and, as it was possible to deal with it, it became the bounden duty of the Government to undertake it. The reason for not attempting to deal with it which was given by the Irish Secretary had, he owned, surprised him. He said that Parliament must take care not to alter its laws and institutions at the bidding of the Fenians, and that they must not alienate the affections of the supporters of the British connection in Ireland. He could not understand this argument, because the noble Lord said in the same breath, and very truly said, that the Fenians really cared nothing about the Irish Church, and that if this wrong were redressed to-morrow there would not be a Fenian the less in Ireland. But, supposing the objection was a good one, it would apply with equal force to every Act of Legislation which had been passed with reference to Ireland. His noble Friend appeared at one time to ignore the existence in Ireland of any class other than Fenians and supporters of the Established Church, although he said afterwards—

> "There is a very numerous class in Ireland comprising men of all religions and of all shades of politics. . . . . Their faces are not turned to the West; they believe that the best hopes of Ireland are mixed up with the British Constitution, and I believe it is by encouraging that class that you will best promote the interests of their country."

He entirely agreed with every word of this; but how it could help the argument of the noble Lord against the settlement of the question of the Irish Church he could not understand. It was true that there was a numerous class, including persons of all religions, and among them all the best portion of the Catholic body, whose faces were not turned to the West, but to that House. An illustration of this had occurred during the last few weeks. He did not know whether the House had yet fully recognized the importance of the Declaration made by the whole Catholic body of any rank, station, wealth, or position in Ireland. It was a Declaration such as had been seldom seen in that country, and it was only in moments of crisis like the present that such a document could have been produced. The Catholic body, after declaring that the feelings with which they regarded the State Church of Ireland were precisely the same as would be the feelings of Protestants under similar circumstances, stated that—

> "The dignity of the religion and of the people of Ireland demands religious equality. We are convinced that without religious equality there cannot be generated that security, that respect for law, and that mutual good will, which constitute the true foundation of national prosperity."

The persons who signed this Declaration were the very bone and sinew of the Catholic people of Ireland. They were the men who looked to that House, and whose faces were not turned to the West, and it was the business of that House to satisfy them when they asked for measures of justice. His belief was that it would be an act of insanity, amounting to something like judicial blindness, to turn a deaf ear, or suffer any Government to turn a deaf ear, to so just and righteous an appeal.

Sir JOSEPH M'KENNA said, he wished to look at this question from a different point of view from that in which the Irish question had been hitherto regarded in that debate. There was no Catholic in that House who would be prepared to rise in his place and deny that religious equality must be maintained by law in Ireland before they could expect the complete contentment and self-respect of the people to be restored. But there were various causes of recent origin affecting the condition of the people of Ireland which had not been touched upon in that debate. Any intelligent foreigner would hear with surprise the conflicting statements made bearing on the condition of that country. The popular Leader, on the one hand, described the state of Ireland in a manner from which it might reasonably be inferred that it was a country suffering under the grinding yoke of a foreign tyranny; while the eulogists of English policy and statesmanship pointed to the legislation of the last forty years, and said that Ireland had received equal laws and was in a rapid state of improvement. Another class of theorists attributed the difference between the condition of England and Ireland to difference of race. All these theories seemed to him but fanciful devices invented to save the trouble of thinking. Having lived long among the Irish people, he knew that under anything like equal conditions with the people of England they would have a very fair chance of equalling them in the battle of life. But the great mistake made by legislators in that House was confounding the idea of equality with that of similarity. The law might be the same for both countries; but, owing to a peculiarity of circumstances, laws that were fair, just, and equal for England were not fair, just. and equal for Ireland. He acquitted hon, Gentlemen on the Opposition side of the House of any intentional injustice to that country, but their fiscal policy had inflicted upon it great practical injustice. The taxation of Ireland, which had the appearance of being levied under an equal law, in its operation showed great injustice. He would refer particularly to the tax on alcohol. In all European countries alcohol in one shape or another was consumed as one of the necessaries of life. It was consumed in the vehicle of wine by the rich, as well as in spirits and beer. The working classes of England principally took their alcohol in the vehicle of beer, and in Ireland the working classes consumed it in the vehicle of whisky. What were the duties imposed on those three beverages? French and German wines were imported into this country on conditions which were equal to a tax of 4*s.* per gallon of proof spirit contained in them, and the wines of Spain and Portugal at a duty equivalent to 6*s.* per gallon of proof spirit. The duty on beer was levied only on the ingredients of which it was composed, and was equivalent to a tax of only 2*s.* per gallon of the proof spirit it contained; whereas the working population of Ireland, who ordinarily consumed whisky, had to pay 10*s.* per gallon of proof spirit. That was the result of the legislation of 1853 introduced by the right hon. Gentleman opposite (Mr. Gladstone); and although, at the time those higher duties were imposed, a certain amount of taxation was struck off for Ireland, yet the hon. Member for Cork (Mr. Maguire) then designated the proposals of the Minister an "Exchequer juggle." Taxation had a great deal to do with the contentment or discontent of the Irish people. It was the rent the people paid for the use of the British Constitution. That Constitution was a most valuable article, but the rent the Irish people paid for the use of it was raised from £4,400,000 in 1853 to £6,700,000 in 1865, owing to the legislation of a Liberal Government, bent on applying to Ireland what they called equal and similar laws, the crotchet in their heads at the time. The additional burden of £2,300,000, or at least more than £2,000,000, then imposed upon Ireland amounted to far more than the revenue of the Protestant Church twice over; and that circumstance—the increased pressure of taxation—had, he believed, much more to do with Irish discontent than right hon. Gentlemen opposite imagined. When the right hon. Gentleman (Mr. Gladstone) brought in his Bill assimilating the Irish spirit duties to the English, he said he could not for the life of him understand why an Irishman should be privileged to intoxicate himself on whisky at a duty of 2*s.* 8*d.* per gallon, when it cost an English working man 7*s.* a gallon to indulge himself in a like manner. He admitted the cogency of that argument as far as it went; but he must say that if the Englishman preferred to intoxicate himself on beer and the Irishman to intoxicate himself on whisky, he, for his part, could not for the life of him understand how it was equal justice to tax the one 2*s.* and the other 10*s.* per gallon on the amount of proof spirit consumed in the process. It had been said, indeed, that as moralists they ought to restrict the consumption of whisky and spirits by raising the duty upon them up to the level which would just suffice to keep out the illicit distiller. But then that was not merely a question of diet or regimen. The Englishman would, in spite of them, continue to drink beer and the Irishman whisky; and the question was how much each of them should in fairness be taxed for the indulgence. He would now say a few words upon the land question. He should regret very much if anything occurred to prevent its settlement that Session. He concurred in the observation made by the right hon. Member for Louth (Mr. C. Fortescue), quoting from Mr. O'Connell, that if that question was to be settled at all it would be settled by the goodwill and the good example of the landlords of Ireland taking a lead in such legislation. Out of the Bill of the right hon. Member for Louth, and that of the noble Lord the Chief Secretary, he believed a very good measure might he made as a starting point for legislation that Session. Whether there be a Commission or no Commission, he thought it was the duty of Irish Members on both sides of the House to unite for the purpose of helping out some measure of legislation on that subject that Session. With regard to education, he certainly was not prepared to hear from a Gentleman ordinarily so well informed as the right hon. Member for Stroud (Mr. Horsman) that the National schools in Ireland were supported by the Catholic laity against the wishes of their priests and prelates. The right hon. Member referred to the increase of scholars which had taken place from 1832 to 1866; but the fact was the number had increased precisely in the ratio that the schools had ceased to be under the principle of mixed education, and in proportion as they became practically denominational. He referred to Returns presented to this House which were admirably condensed, in a document from which he would read some extracts, to prove that this vaunted scheme of mixed education—which afforded the right hon. Gentleman such grounds for congratulation—owed its success to the surrender of the principle on which he prided himself. There are 2,454 schools under the National system in Ireland, containing 373,756 Catholic children, and not one Protestant; and there are 2,483 schools with 321,000 Catholic children, and only 24,000 Protestant. But take the city of Dublin itself. In it there are sixty-three National schools taught by Catholic teachers, containing 24,355 children on the roll; of these no more than six are Protestants and four are Jews, and this is what the right hon. Gentleman in blind complacency flatters himself is the triumph of the mixed system over the policy of the Catholic prelates. Setting these facts aside, or utterly ignorant of them, he denounces the proposition of a Catholic University as a retrograde movement, claiming that the Queen's Colleges are as great a success as the mixed system in schools has proved. But what are the facts? With regard to the Queen's Colleges, the total number of matriculated and non-matriculated students in them was 805. Of these, 208 were Catholics, and 552 Protestants. Would it be contended, then, that these Colleges were successful? If these numbers were reversed, he would still contend that the Colleges were far from successful. He thought it of more importance to settle the question of the Catholic University and of denominational education than the land question. He wanted something to be done in the way of amelioration, and did not desire to see three or four matters forced at once upon the attention of the Ministry, so that in the end nothing would be done. With regard to the Church Establishment, he believed that question would be settled when the Reformed Parliament met, and not before.

THE O'DONOGHUE said, he was anxious to be allowed to take part in this discussion, which had been so long expected. With regard to the speech of the hon. Member who had just sat down, he should only say it astonished him to find that, knowing Ireland as the hon. Gentleman did, he should consider the question of the Catholic University was one first to be dealt with. With regard to the speech of the noble Lord the Chief Secretary for Ireland, that speech was an attempt to prove that the political institutions of Ireland were just what they ought to be; and the noble Lord sought to establish this proposition by reading statistical Returns, showing that, within a certain period, as compared with others, there had been on the whole an increase in the number of live stock, an increase of the number of acres of land under cultivation, a moderate rise in the rate of wages, and an increase in the consumption of whisky. To the man who objected to tenancy-at-will, the noble Lord said, "Cattle, horses, sheep, and pigs are breeding rapidly." Goats, it was true, were not up to the mark; but it was only natural to assume, judging by experience, that they would at least try to make up for lost time. To those who objected to ecclesiastical settlement, the noble Lord triumphantly declared that, whilst in 1864-5 there were only 2,750,000 gallons of whisky drank, in 1866-7 the consumption nearly reached 6,000,000 gallons—a fact the significance of which was not to be lost upon a keen politician, who, in shaping his course, had often to pause and reflect how much his friends and acquaintances could swallow. 6,000,000 gallons of whisky! Why, it might be reasonably inferred from these figures that the Irish people, in a state of happy oblivion, or in a fit of national despondency, had had recourse to a most illicit method of keeping up their spirits. He could picture the noble Lord, in a state of exhaustion at the close of the Session, travelling in Russia, and seeing on his journey the immense hordes of horses and the large provinces of land under cereals that were to be found in that country, and at once jotting down these facts as proofs of the excellence of Russian institutions and the groundlessness of Polish discontent. The noble Lord in his speech the other night made a statement which he (The O'Donoghue) did not wish to let go unchallenged. The noble Lord said, although he could not deny that the Irish in America sympathized with Fenianism, the Irish in Canada and Australia did not. Now, without impugning the veracity of the noble Lord, he (The O'Donoghue) asked the House not to credit that statement, but to realize the truth that the Irish in Canada and Australia did sympathize with Fenianism up to the point where its designs became impracticable. The Orangemen of Canada were, of course, to be excepted. Last Session he had the honour of presenting a petition to the House, numerously signed by the Irish inhabitants of Toronto, and by the Catholic Bishop of that place. That petition, which he was confident might be taken as representing the views of the Irish in America, Canada, and Australia, prayed the House to give the Irish farmers security of tenure —to disendow the Established Church in Ireland—to restore Irish legislative independence—and to give to Ireland those institutions which had made Canada prosperous, loyal, and attached to British connection. The noble Lord informed the House that he and the Marquess of Abercorn were Irishmen—that there was an Irish Lord Chancellor and an Irish Attorney-General. All that he (The O'Donoghue) admitted); but it was scarcely necessary to add, by way of comment, that they were Irishmen who agreed in opinion with the minority of their fellow-countrymen, and such an Irish Government was positively the inversion of every constitutional principle. He believed it was impossible for any reasonable and truthful man to deny the truth of the assertion that the immense majority of the Irish were pre-eminently disaffected towards the Government under which they lived. Why was a large army kept constantly in Ireland? Because it was well known by the Government that its presence there was the only security for the maintenance of the authority of the Government. Why were not the Irish militia called out to go through their ordinary course of training? Because it was thought that once trained, armed, and equipped, they might disown all allegiance to the Government, and become the nucleus of an Irish national army. Why were not the Irish, like the English and Scotch, allowed to enrol themselves as Volunteers? Because it was feared that, if once enrolled and armed, they might endeavour to obtain by force of arms the concession of demands which had been refused to years of persevering and dutiful supplication. Why was Parliament again and again asked to renew the suspension of the Habeas Corpus Act? Because the Government, being convinced of the almost universal disaffection which lies beneath the surface of society, think it necessary to have the power of seizing and imprisoning anyone against whom suspicion was directed. While they looked in vain for a solitary indication of confidence in, or attachment to, the institutions of the State on the part of the people, they saw in the aim and policy of the Government an over-ruling all-pervading feeling of distrust of the people. It was plain that between the governing and the governed there was no sympathy. The measures of the Government were incompatible with any other state of things; and their importance and significance were quadrupled by the fact that they were taken against an unarmed people, who had to look for any prospect of active sympathy and co-operation to a distance of 3,000 miles. The condition of Ireland could not be ascribed to a paroxysm of discontent, because what was occurring to day was but a repetition of scenes which had been perpetually recurring, even when there were no Irish-Americans to organize revolution, and to serve as scapegoats. This was not the first, or the second, or the third time the incompetency of the State physician had been proved; and this was a practical admission that, so far as Ireland was concerned, there was no efficacy in the science of Government. If he had nothing else to rely upon he would take the recent conduct of Her Majesty's Government in order to establish these three propositions—First, the wide-spread disaffection; second, the knowledge of Her Majesty's Government of the main circumstances connected with it; and, lastly, the inability of Her Majesty's Government to cope with this disaffection, either for the purpose of removing it altogether, or of mitigating its virulence, He believed the great body of the agricultural population—occupiers as well as labourers—were pre-eminently disaffected; that a great body of the artizans were equally disaffected; and that the generality of the merchants and small traders. representing the middle classes, were so dissatisfied with the position of affairs that, in their case, it was extremely difficult to draw the line between dissatisfaction and disaffection. Well, Irish disaffection and discontent being recognized facts, it was not unreasonable to assume they were attributable to certain causes. No doubt there were some persons who maintained there did not exist anything that could be legitimately called a reason for disaffection or discontent. Among those were Her Majesty's Ministers, supported by a small section of gentlemen in England and Ireland. On the other side there were the vast mass of Irish people, and a large number of the English people—a vast number of those belonging to the governing classes, and all men outside those kingdoms who could be called impartial spectators of the matter in dispute. When it was seen that the minority, who protested against change and said there was no grievances, derived enormous advantages at the expense of the majority, from the very sources of complaint, he submitted that a *primâ facie* case was made out in favour of those who affirmed that there were causes for the disaffection which existed in Ireland. Passing ebullitions of popular passion were easily traced to the waywardness of human nature; but it was incredible that generation after generation of millions of men should continue to writhe under the pressure of imaginary ills, or that there was not something radically wrong in the system which could create such fearful delusions. There was the land question, and there was the Church question, about which they had been told a placard was hawked about the country for the purpose of disturbing the public peace. There was, however, another cause of Irish disaffection which perhaps could scarcely claim a Parliamentary title to rank as a grievance, but which must force itself upon the minds of many hon. Members. The Irish people told them that their nationality had been violated and ignored, inasmuch as they had virtually no control over the management of their own affairs. They told them that the deprivation of this right to manage their own affairs, which was the cause of all their grievances, was in itself their chief grievance—and that for this right they would never cease to struggle. Irish patriotism might be sneered at, but its struggles could never cease until Ireland had been restored to its individuality. They might rest assured that Ireland never could be transformed into an English county. This did not issue from a dislike to Englishmen, or from an incapacity to appreciate the greatness of this country; it simply meant that all true Irishmen—like all true Englishmen—were bound to their country by ties such as bound each one to his home and its associations. And was it not true that the Irish people had practically no control over the management of their own affairs? He had never been able to conceal from himself that there never was anything so unreal as the Irish Parliamentary representation. When had a majority, or anything like a majority, of Irishmen been represented? Certainly not from the period of the Revolution down to the passing of the Act of Union; and since the passing of the Act of Union, if the Irish Members had been in power, not one popular demand would have been conceded; the truth of which he said, was to be found in the records of the House. Irish Members had invariably refused the demands of the majority of their countrymen, and allied themselves with those Englishmen who supported them. Well, the real representatives had to rely upon the English Liberal party. In all the progressive measures of past years they were indebted to this party, and not to any inherent power in themselves. Now, one word as to the remedies for Irish discontent. First of all, there was the land question affecting thousands of holdings, representing an aggregate of 3,000,000 of human beings. What did the people desire most? To till the land undisturbed upon their holdings, cultivate them, and transmit them to posterity. What was the land grievance? That the greater part of these 3,000,000 had only a six months' tenure of the land. Was this a grievance? The millions thought it was, and had proclaimed against it until they had become tired of so doing. Was such insecurity the inevitable lot of the cultivator of the soil for all time? He believed not. It only existed because the landlords had been the exclusive makers of the land laws, and such insecurity of tenure could not be justified upon any clear interest or any general custom. The landlord had an undoubted title to his rent; but the tenant had an undoubted right to the land while he paid his rent. The only remedy which he could conceive would be to substitute for a six months' tenure a thirty-one years' tenure, and at the end of the thirty-one years the landlord to have the power of increasing the rent, and the tenant, if he thought the landlord demanded too much, to have the power of appeal to a tribunal constituted for this matter. [*Laughter.*] Hon. Gentlemen might laugh. It was not the first time that a great proposition had been laughed at. The only right of which the landlord would be deprived would be the right he now exercised of evicting whenever he pleased, and that further right of getting more than the value of this land upon some plausible pretext, such as the principle of competition. The principle of competition might be well and justly applied in the parcelling out of a country not already occupied; but when applied to the dispossessing of those already in possession it became an instrument of injustice and cruelty. It did not follow that because A might be disposed to give more than B, now occupying the land, that B was not already paying more than the value; the value being estimated by the productive worth of the farm, and not by what a richer man might give for it. He regretted the pictures which had been drawn as to what would follow if the power of eviction were taken away from the Irish landlord. He took the Irish landlord to be a sensible man, who would deal with his affairs in whatever way would be best for himself and his children. The House could not deal with the land question effectually, unless they gave security of tenure in some more tangible form than that of six months, and he believed that the Bill foreshadowed by the Chief Secretary would leave the question just in the same position as it had been in for years past. In almost every instance in Ireland the occupiers had ancient prescriptive titles to their farms, and although this might count for little in the arithmetic of the political economist, it should be considered by those who wished to approach the difficulty in a true spirit. The act of eviction could only be done by violence—by equal violence if they would, but not the less unjustifiable for that. The farmers of Ireland had ever been ready to pay a full price for the land; and all they demanded was the security of tenure, which would save them from the lust of gain and the dictates of an arbitrary power, which would give them a real interest in the prosperity of their country and in the permanence of its institutions. Now, as to the Established Church in Ireland, it was as clear as that two and two make four, that the Irish Protestant Church could not rest upon its own merits. The Irish Protestant Church was the Church of the minority, and therefore could have no claim to the revenues. It might be called the United Church of England and Ireland, or of Canada and Ireland; but it would always be the Irish Protestant Church. It appeared to him—of course he did not refer to its doctrines—to be in the position of an individual against whom a verdict had been found, and who had been permitted to stand out on the understanding that he would come up for judgment when called upon. He and his co-religionists asked for the disestablishment and disendowment of the Protestant Church. In doing this they solemnly declared that neither directly nor indirectly would they take endowment of their own Church, and they pointed to their own position — the Church of the poorest—both in Ireland and in America as a vindication of the voluntary system. If ever there was a question which had been argued *usque ad nauseam* it was this question; and he had not much confidence in the man's judgment who did not see that the time for argument was passed, and the time for action come; but amongst their enemies was prejudice, which might take some time to overcome. The English people had made great progress in liberality, and it would soon be seen whether the banner of "No Popery" was to be raised, and whether they would be true to their principles, and haul it down as the vile emblem which for generations had kept two nations asunder. The question was, were the Irish people to have religious equality or not, or were they to have in Ireland religious ascendancy? Was Protestantism to take its proper place, or was it still to be the sign and the indispensable qualification of a superior caste? The truth was, that the maintenance of this Church was irreconcilable with justice, and there was only one course for Parliament to pursue, and not to wait for Commissions of Inquiry, but to be true to the sacred principles which they stood pledged to vindicate. They (the Roman Catholics) sought only for religious equality, and they sought for it in the only way it is practicable. They sought no triumph over their Protestant countrymen. They left it to others to look back to Antrim and the Boyne. They left the past, and looked forward to a future of equality and peace. He did not wish to sit down without expressing his conviction that even if Parliament were to settle the land and the Irish Church questions in accordance with the wishes of the people, contentment would not even then be restored to Ireland, because the people would still feel that they did not enjoy their fair share of political power. He asserted, without fearing that that assertion could be disproved, that the Irish people had practically no constitutional means of giving expression to their opinions or effect to their wishes, and that they would never have the means of so doing until the franchise had been considerably extended and the independence of the voter secured by the ballot. It was true that their political privileges were not fewer than they were in England; but in England the choice of the electoral body had never been practically, to a great extent, limited to those who were anti-English by sympathy, tradition, and misconceived notions of self-interest. The Irish people had lost all confidence in the present Parliamentary system, and had in too many instances abandoned themselves to despair, or given themselves up sullenly to the hope that some chance would procure for them that which they were now unjustly denied. He had never counselled despair. On the contrary, he had frequently urged his countrymen to forget the past—to unite with the English people who were not responsible for the past—and to struggle for the possession of those constitutional rights by which the position of England and Ireland can alone be improved. The great majority of the Irish people no longer looked to this House. They had turned away from it; for they had seen year by year and Session after Session pass, and those who represented them were either the humble followers of English parties, or persons working for their own interests. Was it not time that Parliament, by united action, should do something to dispel those influences, and create that confidence the want of which was the source of difficulties?

Lord CLAUD HAMILTON said, he believed that the antecedents of the hon. Gentleman who had just sat down were not such as to entitle him to the confidence of the well-wishers of Ireland. The hon. Gentleman would be more at home in organizing a mock funeral procession in honour of so-called martyrs than in rendering assistance to any plan which sought to elevate the morality or promote the well-being of his fellow-countrymen. ["Oh!"] They all knew that the hon. Gentleman was struck off the roll of the Irish magistracy by Lord Chancellor Brady. And what had induced the Lord Chancellor to take that unpleasant step? It was the conviction that the course pursued by the hon. Member was so disloyal that he was no longer fit to hold the Commission of the Peace. Those who had watched the more recent career of the hon. Member must be aware of the countenance he had given to Fenianism. In the very House itself he had heard him say that the way in which the insurgents had conducted themselves, though no doubt contrary to the law, was not inconsistent with morality. [The O'Donoghue: In this House? No.] He repeated that the hon. Member had so expressed himself in the House, and reminding the hon. Member that, at the time he said this, the valiant deeds of the Fenians whom he sought to extol were an attempt to murder a policeman by shooting him behind his back, and a cowardly assault on a respectable banker, who was left for dead because he refused to allow his house to be plundered. He asked him now whether those proceedings could be deemed "not inconsistent with morality?" Were the mock funeral processions in honour of executed assassins and so-called "martyrs," so strongly condemned by Bishop Moriarty, the hon. Member's own Bishop, "not inconsistent with morality?" The energetic condemnation of the Bishop proved that the hon. Member did not represent the feelings of the Roman Catholic body. Yet the hon. Member presumed to thrust himself before the House as the mouthpiece of Ireland. However unpleasant it was to act the detective, he felt it to be his duty to watch those who made it their business to sow discord in Ireland, and he was sorry to say the hon. Member was not the only one guilty of such a proceeding. The hon. Member had been pleased to assert that the Government was unable to cope with the Fenian insurrection, it was so universal; but what proof was there of this, and who could produce a single instance of such inability on the part of the Government? The hon. Gentleman had stated also that disaffection was kept down by an enormous army. Now, let the House take that statement for a moment into its consideration. The army in Ireland consisted of 20,000 men, among a population numbering 5,600,000. Let them observe the proportion which those figures bore to the armies and the population of other States. Belgium, a happy and prosperous nation, with a population of 4,800,000, had an army of 73,000 men, or in other words the army, although raised from a smaller population, was more than three times as great as that of Ireland; Holland, which was another flourishing country, with a population of 3,300,000, had an army of 59,000; and the army of Bavaria, with a population of 4,800,000, numbered over 100,000. The House and the country was therefore bound to scrutinize the statements of this honourable, self-constituted mouthpiece for Ireland. The hon. Member for Birmingham, in one of his speeches made when he was going about the country endeavouring to create an excitement, declared that Ireland was not "governed but occupied"—a statement that the figures just quoted fully disprove. Allusions disparaging to the Government had also been made respecting the non-existence of Volunteers in Ireland; but it was decided long before Fenianism showed its head that it would be unwise to institute a Volunteer force in Ireland. He remembered himself, in common with other Irish Members, recommending the Government, when the Volunteer force was first suggested, not to establish it in Ireland, and the Government decided in accordance with those suggestions, on the ground that, following their ordinary custom, the Irish, if organized in corps, would take to fighting among themselves more desperately than ever, and would assuredly make targets of one another. How utterly fallacious, then, was the assertion that there were no Volunteers in Ireland because the Government feared the disaffected. But he would pass from the address of the hon. Member for Tralee to the Motion of his. hon. Friend the Member for Cork. He regretted to find his hon. Friend submitting to that House a vague Resolution which afforded every Member of that House an opportunity of discussing a bewildering variety of topics, and which could not possibly lead to any useful result. But he feared that his hon. Friend, for whom he entertained great respect, was sometimes led into impracticable designs by his overflowing zeal for his country and by the natural impulsiveness of his disposition. Three years ago his hon. Friend moved for a Select Committee upon Land Tenure; the Committee was appointed, and many worthy witnesses were examined; but they were all called by one side, and were so numerous that the end of the Session arrived before the opposite side could say a word. But it happened that the evidence of these witnesses was so contrary in many instances, to what his hon. Friend had anticipated, and so destructive to the theories he apparently wished to establish, that he actually ran away from his own Committee, and contrary to all usage, did not move for the re-appointment of that Committee, so that the whole of the valuable evidence collected remained unreported on. Instead of a Committee a secret conclave was established in the Smoking-room, at which, according to an announcement in the *Freeman*, all Members were pledged to secresy. He (Lord Claud Hamilton) was invited; but during the many years he had been a Member of Parliament he had never been a conspirator, or attended a secret conclave for the purpose of disposing of other people's property, and therefore he did not go. The secret of the conclave was not very well kept; for he heard that there was almost a "row," and that very strong language was used. Out of that secret conclave in the Smoking-room apparently came the Bill that was produced by the Government in 1866. He was invited to form part of a deputation to the then Chanceller of the Exchequer, the right hon. Gentleman the Member for South Lancashire, to discuss the Bill which had been settled in the Smoking-room; but the Bill had not at that time been printed, and, consequently, he declined to go. The whole thing was a hole-and-corner arrangement, and ill-disposed people said it had something to do with an important division that was going to take place. ["Hear, hear!"] The present debate seemed to him little better than a desultory and discursive conversation, in which each hon. Member mounted his hobby—that of one being the land, of another the Church, of another education, and so on. His hon. Friend the Member for Cork had alluded, in the language of complaint, to the employment of gunboats along the Irish coast. But when rumours appeared in the American papers that Fenian cruizers were on their way to Ireland it was natural that people in remote districts on the coast should feel alarmed, and it was the duty of the Government to re-assure them. It gave such persons confidence to see gunboats on the coast. Looking at the matter from another point of view, he would maintain that our fleets and vessels of war ought to be as much as possible in Irish harbours, so that Ireland should have her fair share of the expenditure of our armaments. His hon. Friend seemed to think it a grievance that there was no sufficient amount of crime in Ireland to justify the gunboats and armaments. He, on the contrary, rejoiced in that absence of crime. Another grievance apparently was, that there was a decrease in the cultivation of cereals. He (Lord Claud Hamilton) thought it his duty to vote for the repeal of the Corn Laws; but he had never doubted that this measure would create a difference in the cultivation of the soil. Nothing but a system of artificial prices sustained by Protection had led to an extent of cereal cultivation which the climate by its humidity did not otherwise justify. No one, however, would find fault with the farmers for adapting themselves to the new state of things, or would expect them to go on growing corn at prices that were not remunerative. To complain of Irish farmers for not doing so was a species of Irish grievance in which he could not participate. The result arrived at by his hon. Friend opposite was, that the Irish tradesmen and shopkeepers were losing heart. As long as the present system of agitation, irritation, and misrepresentation went on, so long must trade and commerce languish. He had not long since been in correspondence with a Scotch house, who proposed to set up a mill in his neighbourhood, but the moment the Fenian outbreak occurred they withdrew from the undertaking; and the noble Lord the Member for Kerry (Viscount Castlerosse) had told him of a still more remarkable case in his county, for there the parties who had resolved on engaging in a similar project had gone so far as to pay caution money as a guarantee of their sincerity, but had afterwards refused to have anything to do with a country in which agitators were able to influence as they pleased the minds of an unfortunate and excitable people. His hon. Friend took a certain period of Irish history, between 1782 and 1800, and told the House to notice how jealous England was of Ireland. But the rising of 1798 had something to do with the events of 1800, and naturally suggested the propriety of some new arrangements for the union of the two countries. His hon. Friend then said that the Government were not doing enough; and, in regard to the land question, asked whether they had not had the Devon Commission. That most elaborate inquiry was made in 1845, and it was worthy of all study and attention. But did hon. Gentlemen opposite forget that in the years 1846-7-8 Ireland was afflicted with a fearful famine and pestilence, which swept away 2,000,000 of those whose social habits and system of farming were described in the Report of that Commission? With those unhappy persons the whole system was swept away, and a new system of consolidation of farms and of agricultural improvement ensued. So that, although the evidence taken by the Devon Commission was most accurate, it did not apply to the present state of things, and no one could make himself acquainted with the present agricultural system of Ireland by studying the Report of the Devon Commission. Hence a new inquiry by a new Commission was not so very superfluous as had been alleged. His hon. Friend the Member for Cork, in his book on America, had described the prosperity of the Irish where there was abundance of land to be had at very low prices—but even there he states there is a great repugnance to the payment of rent—and he describes a combination to resist rents, although they only amounted to 1s. per acre. But when he came to describe the condition of the Irish in towns, they exactly resembled their countrymen at home. He states that the two great banes of the Irishman in the cities of that country were drink and politics, and he described how the working man was often beguiled into that "whirlpool of pothouse politics, in whose accursed mud and mire many a bright hope was wrecked." Unfortunately, the Irishman was not free from those two banes in his own country. He would recommend his hon. Friend, who was the editor of a leading newspaper in Ireland, to consider an observation made the other day by the hon. Member for Sheffield (Mr. Roebuck), who said "Depend upon it, it is not the law that will make Ireland what she ought to be, it is the teaching of her people, and the manner in which that teaching is received." The right hon. Member for Stroud (Mr. Horsman) blamed the Government for proposing a retrograde policy, but what did he suggest himself for the benefit of Ireland? One might have expected that he would end his eloquent speech by sketching out some great and comprehensive scheme of his own; but all he had to offer them in the way of advice was that they should, somehow or other, settle the Church question, the land question, and so forth. That mode of treating Irish questions showed a want of sound and practical judgment which was almost enough to make them despair of a better state of things. With regard to the Irish Church, remembering the declarations made by the Roman Catholic hierarchy and laity in 1829 on that subject, he could understand people saying that the maintenance of the Established Church was impolitic, but how an arrangement three centuries old, and also solemnly sanctioned so recently, could be called an injustice *per se,* he could not comprehend. That it was an injustice, if those who would not have a thing themselves could not prevent others also from having it, he could not admit. But probably the House would by-and-by have ample opportunities for discussing the Church question. The right hon. Member for Louth (Mr. C. Fortescue) had twitted the Government for their want of policy; but such a taunt came with a bad grace from a Member of the last Liberal Government. What had been the policy of that right hon. Gentleman and his friends, except to make use of these questions as a convenient weapon when in Opposition? Did hon. Gentleman on the other side of the House remember the history of the famous Appropriation Clause of 1835? Sir Robert Peel's Government was driven from office by that well-managed Resolution; and yet the Whig Ministry which superseded it sat for six years on the Treasury Benches without putting forth a finger to give it effect. For twenty-five years, at least, of the period which had since elapsed, that party had held office, and yet they had done nothing with respect to this Church question. In fact, it was kept as a cry to fall back upon in Opposition, just as the question of Reform had been used. The opposite party got into power in 1859, by professing at Willis's Rooms, a great desire for Reform. But after having obtained office by these means, how did they treat that great question? They brought in a Bill in 1860 which went through a second reading without opposition, and then was stabbed in the back by its own professing friends, and disappeared. In 1861-2-3-4-5 the question was utterly neglected. It had served its purpose by securing office and was abandoned. They might depend upon it that the people of England would not any longer allow these great questions to be made party weapons merely for the purpose of getting into power. Since 1835, he had watched the Irish Church question, and he maintained that all the agitation relating to it had come from England, the Liberation Society, and those who sought to keep up irritation in this country with regard to church rates and similar subjects. Nearly all the Motions that had been brought forward about the Irish Church in that House emanated from Sir Henry Warde, Mr. Miall, and other English Members. The agitation had not originated in Ireland. It had come from those who had made a compact with the English Liberation Society, and had listened to those addresses of the hon. Member for Birmingham which were so well calculated to set class against class. The House knew the way in which the movement against church rates and other such proceedings were set on foot in the English parishes by direction of the central bodies in London. The same plan was being carried out in Ireland. He confessed it was a wonder to him how Irishmen could be so heartless as to bring upon their country the evils which must result from agitation, which he regarded as a curse to Ireland. One of the charges constantly brought against the Protestant Government of England was the infliction of the penal laws which had for so long a time been in operation in Ireland. He was not astonished the mass of the Irish people should believe that those enactments had been passed by Protestants to insult, rob, and oppress the Roman Catholics. But the fact was that penal laws had existed in Ireland for two centuries before the Reformation. They had emanated from Rome, and were first imposed by an assembly which met at Kilkenny. There is an eloquent and touching appeal in existence, dated 1318, addressed by leading Irishmen to Pope John XXII., complaining of their oppressive character. Three Roman

Catholic Archbishops and other Roman Catholic ecclesiastics took part in the proceedings that established them. What was the object? Roman Catholic England wished to crush the Irish who were not well disposed towards English rule, and with that object the penal laws were passed. They were a political engine. When the Reformation came the rulers of the country found those laws ready to their hand, and as those in opposition to the Government were, as a rule, Roman Catholics, the term "Roman Catholic" was substituted for "Irish" in the penal laws. As a Protestant, he rejoiced that the infamous system of governing the Irish by penal statutes had not originated with a Protestant Government. At the present day what Ireland had to fear principally were political quacks and agitators. To such persons Englishmen and Scotchmen wishing well to Ireland ought to turn a deaf ear. He implored hon. Members who might not be personally acquainted with the country not to accept views which might be biassed upon one side or the other, but to bring their minds to the study of the question, free from prejudice and to form their own opinions.

Mr. H. A. HERBERT said, he thought it was the duty of every Irishman to come forward manfully in the present debate and state his views, whatever they might happen to be, both upon the land and the Church questions. As a landlord in the South of Ireland, he felt that any landlord wishing to see tenants properly treated ought not to object to secure them in their holdings. A great deal had been said about absentee landlords which he could not agree with. In his own county Lord Lansdowne and Lord Listowel, though absentee landlords, set an admirable example to others, and treated their tenants fairly and honourably. Of his Colleague in the representation of Kerry, he knew that he also acted towards his tenantry in the same spirit, and he could say tenants who had made genuine improvements were never evicted by their landlords. He could not endorse the statement made by the hon. Member for Cork (Mr. Maguire) or the hon. Member for Tralee (The O'Donoghue), that the tenant-farmers in the South of Ireland, at least in that part of it with which he was best acquainted, were Fenians, or desired to belong to that organization. If it had been stated that younger sons of the tenant-farmers and those men who were not willing to seek any regular occupation desired to belong to that conspiracy it would have been nearer the truth. Then, again, it was said that the country was going back. But had rents ever been paid with such punctuality as this year? His own agent, who spoke from a twenty years' knowledge of the estate, said he never remembered the country or the farmers in such a state of prosperity. His own tenants were mainly tenants holding from year to year, who had declined to take leases. To-morrow morning, if they would take them, he was willing to give them all leases, believing that the security was better both for them and the landlord. Then, as to wages. In some instances, farmers upon his estate at Castle Island were giving men 14s. a week and their diet. Would anybody say that the country was going back with such wages as that? It was only fair to add that there were many things which ought, in his opinion, to be done for the good of Ireland. It was desirable to legislate not for the good landlords, but for the bad; and with that view he strongly desired to see a measure passed giving fair protection to the rights of the tenants. A man ought to be compensated for the improvements which he had made according to the time that he had held the land; and further, a man who wished to spend money upon the land ought to be given a lease at once. But this he could certainly say, if it formed any test of the real condition of the country, that there never had been a time within his recollection when, if a farm fell vacant, more men prepared to spend money upon it were competing for it, or were anxious to get it upon any terms. Now with reference to the Fenian movement, with which it was said that all the farmers in Kerry sympathized. Take one single instance from the rising last year. A large force was said to have left Cahirciveen—that force consisting, he believed, of 120 or 130 men. If the farmers were so eager to join, would not that force have grown into a small army by the time it reached Beaufort Bridge? From the moment the force left Cahirciveen the boys began to get frightened and to drop away; the sympathizers who were expected to join them did not do so, and by the time they reached Beaufort seventeen miserable men, half dead with cold and hunger, were the remains of that insurrection. Legislation now, he believed, would have the effect of preventing the farming class from joining the movement; while it would also have a tendency to prevent speculators from Dublin coming down to buy land and then raising the price upon the tenants. As regarded the Church question, he was a Protestant, and he hoped a good one; but he would vote to-morrow for doing away with the Establishment. It was not right to bring up local matters, but if he thought proper to do so he could mention facts showing that there were men who did not do their duty; and if Protestants relied less upon the mere official position of men such as these, the Protestant religion, instead of going down, might largely extend its influence. He did not think they ought to put themselves above their fellow-men when hundreds and thousands of them were better than they were; and he was glad to have had this opportunity of declaring his conviction in the matter.

MR. NEWDEGATE*: Sir, having during the last five-and-twenty years taken an active interest in many questions connected with the state of Ireland, I hope the House requires no apology for my wishing to express an opinion upon one or two points which have been suggested in the course of the debate that has occurred on the Motion of the hon. Member for Cork. Sir, I have listened with the greatest pleasure to the speech of the hon. Gentleman the Member for Kerry (Mr. H. A. Herbert) who has preceded me. He has assured us that the tenants on his estates are thriving and contented, and I can easily believe that to be the case, for he is the son of one, who, as a Member of this House, was always regarded as one of the most favourable examples of an Irish gentleman and an Irish landlord. I have also heard with great satisfaction the statistics which were adduced by the noble Lord the Chief Secretary for Ireland, showing as they do that the produce of that country is increasing, though the increase is rather in pastoral than cereal production. Coupling that statement with the extent to which emigration has been carried, I see in the present state of things the result, which I long ago anticipated must ensue from the determination of the Legislature to repeal the Corn Laws and abandon the system of Protection. I cannot say that the Legislature has always displayed much consideration for Ireland, and although the Roman Catholic Members of this House concurred in these measures, still I thought their doing so was a short-sighted policy for their country, and that the late Mr. O'Connell, who became its warm advocate, was greatly mistaken. Now I wish this to be remembered particularly, because the Protestant Members for Ireland at all times resisted that measure; and so far, then, as that measure has contributed to produce the extensive emigration which has followed, the Protestant Members for Ireland are acquitted. Sir, I rejoice to find that so good a disposition reigns among the farming class in Ireland; nevertheless, we must not forget that for three years past it has been our painful duty to suspend the Habeas Corpus Act in Ireland. To tell us, therefore, as some hon. Members tell us now, that there was no dangerous discontent in Ireland, that there was no danger of rebellion, is to tell us that we have tampered with the freedom of our fellow-countrymen without reason, and that we have moved troops about and incurred a great expenditure for that, which, after all, is a mere bugbear. Sir, I think the House is bound, in vindication of its own conduct in venturing to suspend the primary right of freedom in the sister country — the primary right of personal freedom — to inquire and to ascertain, if possible, not only, whether there was a dangerous sedition and conspiracy, but what were the causes which have contributed to that discontent— what its source and origin. I admit that its origin is in great measure foreign. I admit that it has its centre in the United States of America. I also know that it had correspondents in Paris. Just before the explosion at Clerkenwell prison I was warned by an American gentleman, whose name I am not at liberty to mention, that if matters proceeded as at that period they were then going on, this country would have no resource but to adopt some system of passports. It appears to be evident then that this is a conspiracy with foreign ramifications. I well remember when there were the first manifestations of Fenianism about four years ago that the newspapers of this country, or most of them, were disposed to treat it with contempt. Now I, for one, never entertained that feeling of contempt, because the primary phases of the insurrection were precisely similar to the primary phases of the Polish insurrection; and it is my firm belief that, if the Government and the Legislature of this country had not shown at once that they would not be trifled with, and would not allow the peace and order of society to be disturbed, that insurrection would have spread, and in the end become most serious and dangerous. The right hon. Gentleman the Member for Calne, in the able speech which he has addressed to the House in the course of this debate, made the remark, that those who called themselves the "friends of Ireland" were for ever representing the discontent of Ireland to be greater than it is, and producing an agitation which drives capital from Ireland and prevents the investment in means of employment other than agriculture — an investment which is essential to the full development of the natural resources of that noble country. The right hon. Gentleman also said it is strange that the friends of Ireland should always be denouncing everybody in it. Now, Sir, it is perfectly true, that, even during this Fenian conspiracy, there has been a section of this House, which has been denouncing everybody in Ireland, save and except the Roman Catholic hierarchy in that country. Well, Sir, are the Roman Catholic hierarchy the masters of Ireland? And, if so, how far does their agency, through a certain section of this House, make them the masters of England? That is a question which the English people are just beginning to ask themselves; because, without intending the slightest disrespect towards the Roman Catholic Members for Ireland, by the constant agitation which they keep up in this House, supported by agitators in their own country, they seem to flatter themselves that they have reduced the rest of this House to a condition of terror, that the hon. Member for Cork can rise in his place and say—"Yield all we ask, or expect the disruption of the Empire." Now, Sir, I have always wished well to Ireland. I have concurred in the establishment of an Irish poor law. I concurred in the loans that were made during the famine. I voted with Lord George Bentinck when he first proposed the loans of public money, which were afterwards made for the establishment of railroads. And, in short, I cannot reproach myself with ever having to my knowledge voted against any measure that was for the real benefit of Ireland. But when the state of Ireland is such that those hon. Members themselves have concurred in the suspension of the Habeas Corpus Act, in that great limitation of the personal freedom of their fellow-countrymen, yet still keep up this threatening agitation, I think it is time for us to declare that such language as this we will not obey. And that, with a view to the future peace of Ireland, it is better, that it should be at once understood, that we are not to be terrified by agitation, by sedition, nay, by rebellion itself, into legislating for Ireland in a manner which we consider to be not only inconsistent with the permanent welfare of that country, but which—and it is a matter that really concerns our constituents—would be dangerous to the interests of the United Kingdom, and of the whole Empire. The hon. Member for Cork, in the course of his speech, adverted to some former legislation with respect to Ireland. Now, I own that I am rather tired of hearing these perpetual allusions to what are called the "Penal Laws," and I will tell the hon. Member why. From a feeling of generosity, from a feeling that I did not wish to give offence, I have hitherto abstained from reverting to the circumstance which rendered those penal laws necessary. What were the circumstances connected with the passing of the penal law to which the hon. Member for Cork referred, when he said—

> "Only conceive the barbarism of no Papist being allowed to keep a horse, which might not be demanded of him on the tender of £5."

Well, Sir, that statement produced rather an impression on the House, and it was thought that those who had preceded us, as Members of the English Legislature, must have been simply barbarians. But what were the circumstances which were connected with the passing of that Act? It is the 1st of *William and Mary*, c. 15, and it enacts—

> "That no suspected Papist who shall neglect to take the oath appointed by law."

This was an oath of allegiance—

> "When tendered to him by two justices of the peace, or who shall not appear before them upon notice from one, authorized by warrant under their hands and seals, shall keep any arms, or ammunition, or horse above the value of £5 in his possession, or in that of any person to his use, other than such as shall be allowed him by the sessions for the defence of his house or person."

Now the suspension of the Habeas Corpus Act is a much more stringent measure than this, for it does more than take the rebel's horse on the payment of £5; it renders any suspected person liable to imprisonment. And I say that it is rather hard that the hon. Member should come down to the House and cast portions of these former Acts of the Legislature in our teeth without giving any explanation of their real character. What were the circumstances of Ireland at the time this Act was passed? After James II. had been expelled from the throne of England he returned to Ireland — he was received by the Irish Parliament with open arms. And how did he rule? He established, he adopted Ultramontane principles of government, guided, as it is well known, by the Jesuits who surrounded him. He banished the Protestant Members of the House of Commons. He attainted 3,000 Protestants. He established so barbarous a system that he drove the Protestants into rebellion. He debased the coinage, after having confiscated every estate the title to which could be claimed by any of the former ecclesiastical houses. Fortunately for the country he was expelled from Ireland; still he had so worked on the fanatical instincts of the Roman Catholics, that the Parliament of England, in order to save their Protestant co-religionists from the butchery they were undergoing, were obliged to pass this Act, the barbarous provisions of which, as they have been termed, I have read to the House. I trust that hon. Members will in future abstain from stating one portion of a fact with the view of bringing into odium former Governments of the country and raising the suspicion that England has exercised an unnecessary severity towards Ireland; for I have shown that this very Act was not so severe as the Act which we are now enforcing in Ireland, and to which the Irish Members have given their acquiescence. But there are characteristics of this Fenian conspiracy, which, I confess, fill me with apprehension. It is almost exclusively a Roman Catholic movement. I know that there are Roman Catholics, who are loyal and devoted subjects of Her Majesty; but I know also, that there is in their Church a sect, which is at present dominant at Rome. It is this sect which stirred up the Polish revolution. It is this sect which has sworn perpetual hostility to every Government that is not Catholic; and I more than suspect that this sect is at the bottom of the Fenian movement, not only in Ireland but in New York. There are those, and I speak from information, who are connected with that sect, and a particular order, of the Church of Rome, who have stimulated and are still stimulating this disposition to rebellion in Ireland, as they stimulated the rebellion in Poland, for the purpose of making war upon a Government, which does not acknowledge the head of their religious creed as supreme. What is the character of the facts which were adduced by the hon. Member for Cork in his work on America? He says that when he was in the United States — and this was quoted by the right hon. Gentleman the Member for Calne— he met a man who was connected with the Fenian movement, and that the man said, "He did not mind the landlords, but the bloody English Government and the Peelers!" Now, what has the English Government done to deserve this? Simply, the Government of England and the Legislature of England have been guilty of this: that, although they are ready to make every just concession to the Roman Catholics of Ireland, we will not allow this sect, now dominant in Rome, to dominate either in Ireland or over England. That, Sir, is our offence — and it is an offence which we shall most certainly repeat. I have made these allusions, because it appears to me that, although Her Majesty's Government admit, that, after so grave a manifestation of seditious feeling in Ireland, it would be right to inquire, they are about to take their inquiry into a wrong direction. Her Majesty's Government are about to issue a Commission to inquire into the tenure of land in Ireland. At the same time they are prepared with a measure of their own, the object of which is to remove the difficulties which are connected with that question. I rejoice that they have determined upon the introduction of a measure, which I look upon as an eminently wise one. I believe that the requiring of a written contract—and the more specific the better—between landlord and tenant will be as successful in Ireland as I have found it to be upon my own estate, and that therein will be found a solution of the tenant-right difficulty; because after a contract is once drawn in terms sufficiently specific and duly stamped, it is a legal instrument which is binding on both parties to it; and the tenant, if he is ousted from his holding, has only to produce that document, and if it includes, as it should do, provisions for compensation for improvements, he can recover at once by a simple process in any Court of Law. I think, then, that that is an eminently wise proposal on the part of the Government. But, in addition to this measure, they propose a further inquiry into the tenure of land in Ireland, and it appears to me, that if we pass their Bill, such an inquiry is not necessary. For it will be an *ex post facto* inquiry, the means of remedying the evil complained of having already been adopted. Then Her Majesty's Government propose to set on foot an inquiry into the Established Church of Ireland; that inquiry, indeed, has already commenced, but it does not seem to give contentment to a great many hon. Members on the other side of the House. They complain that if this inquiry be operative, and the Establishment of the Church be reformed by the different application of some of its surplus funds, that a grievance of which they are very fond would be spoilt. But there is a peculiarity about these two subjects of inquiry. The Government are about to issue a Commission to inquire into the conduct of the landlords who are Protestants; and another Commission has been issued to inquire into the Church Establishment in Ireland, which is also Protestant; while the real manifestation of seditious discontent, which has occasioned the suspension of the Habeas Corpus Act, is the effect of a Roman Catholic conspiracy. It appears to me that the inquiries to be instituted by the Government will be directed for the annoyance, and probably the alteration of the position, of the loyal landlords of Ireland and the loyal Protestant Establishment of Ireland. And why? Because there has been a Roman Catholic conspiracy in that country. It really seems to me that, if ever inquiry was directed to a wrong quarter, these two branches of the inquiry are so, for their aim is utterly beside the object. But there is yet another proposal of the Government—a measure is contemplated, and that without inquiry, for the establishment of a Roman Catholic University in Ireland. Here, then, are Her Majesty's Ministers about, first, to inquire into the tenure of land, after having produced a scheme for correcting the evils arising out of the existing system, and then a Commission to inquire into the Church Establishment, which they declare that they desire to reform, but do not intend to disturb. And at the same time they propose to establish an exclusively Roman Catholic University—in other words to introduce an anomaly, a perfect anomaly, in the educational system of Ireland; and that without any inquiry whatever! What can be said of such a policy? There may be a policy in it, and there may be system; but it is not consistent with the alleged necessity. I believe that many of the most intelligent lay Roman Catholics are quite right when they approach the Legislature and beseech us not to establish an exclusively Roman Catholic University. I hold in my hand a pamphlet by a Mr. James Lowry Whittle, a barrister, and a person evidently of the highest intelligence; he is a Roman Catholic; he writes with undoubted ability, with an eagerness and earnestness, which are unmistakable; and he declares that no greater tyranny could be inflicted upon the educated Roman Catholics of Ireland than by the establishment and endowment of an exclusively Roman Catholic University. Now, if the House could give me the requisite time and attention, I would read every word of Mr. Whittle's pamphlet, and I will tell the hon. Members from Ireland opposite why—I would do so because I can substantiate from other sources the statements which it contains. I refer to this pamphlet as a memorable protest from a Roman Catholic who must know what are the tendencies of the Church of Rome at the present time. He is a person—and this appears clearly from the facts which he has adduced—who must have studied the subject fully. And he prays that you will not inflict such an injury upon the Roman Catholics of Ireland as the establishment of an exclusively Roman Catholic University. What would be the inevitable consequence of your doing so? Why that those Roman Catholics who now send their sons to Trinity College, and to the Queen's Colleges will be urged by that Ultramontane Legate, Dr. Cullen, with all the authority and all the terrors of his Church, to send their sons to the only establishment that will be under his direct control. When the right hon. Gentleman the Secretary of State for the Home Department said, that he is willing to support such an establishment, on the ground that he is in favour of the denominational system of education, because he prefers the denominational to the mixed system, and because the national system of education in Ireland having been once a mixed system is now fast becoming a denominational system, it struck me that the right hon. Gentleman had been carried away by his consistency and his admiration for logical sequence, to an extent that could not be justified by the circumstances. I would ask the right hon. Gentleman whether he is so steadfastly in favour of a denominational system that in India he would establish a University for teaching the religion of Juggernaut or the system of Thuggee? The facts of the case are plain before us. We should all prefer, at least very many of us would prefer, the denominational system if we were not warned by Roman Catholics themselves, that at this moment such is the predominance of Ultramontane opinion at Rome—that phase of opinion of which the Jesuits have always been the exponents — that they are perfectly confident that the establishment of this Roman Catholic University would be converted into a means of tyranny over themselves and their families. Sir, it has been said that Rome is always the same. But will anybody pretend to tell me that the government of the Roman Catholic Church in the first year of the reign of the present Pope was conducted on the same principles that have since characterized the Pontificate? Mr. Whittle, the writer of the pamphlet to which I have alluded, says that it is only since the year 1849 that this growing preponderance of Ultramontane opinion in the government of the Church of Rome has been manifested. Upon that point, however, I am inclined in some degree to differ from Mr. Whittle, because the turning point was this. By a Brief dated the 2nd of October, 1836, the late Pope committed the Propaganda, the centre in Rome of all the missions of the regular orders of the Church, to the "Gesu"—that is, to the control and direction of the Jesuits. That is a fact which has passed out of sight. The great importance of this fact was very little known at the time; but it has been manifested since, because, although the present Pope was thought to be a Liberal Pope when he first ascended the throne, by some unhappy accident there arose a rebellion in Rome, and so terrified was his Holiness that he fled to Gaëta. He started a Liberal from Rome; he returned an Ultramontane from Gaëta. It is a very singular fact that the Padre Ventura, a celebrated Jesuit, who preached the late Mr. O'Connell's funeral oration, was one of the last of the ecclesiastics who lingered at Rome in 1848, and, as it seems, that he might convey intelligence to the Pope at Gaëta, of the appearance of the French troops before Rome. One thing is clear, that within the present century Rome has never been so Ultramontane as it is at this moment. We hear noble Lords and hon. Gentlemen advert to the facts that Mr. Pitt established Maynooth College, and in 1801 desired to carry Emancipation, and state these facts as if they ought now to govern every consideration connected with the Court of Rome. Let us see what were the circumstances of the Papacy at that time. Why, at the instance of the Courts of Europe, in the month of July, 1773, the Jesuits were suppressed by Pope Clement XIV., and Rome—Mr. Whittle alludes to the fact—was comparatively tolerant and liberal from that day until 1814, when the then Pope re-established the Order of Jesuits. In the year 1836, as I have already intimated, the Pope committed to their charge all the missions of the regular orders of the Church of Rome throughout the world, and made the Propaganda, in fact, subordinate to the Gesu. I advert to this fact, not without reference to Ireland; for, under the Brief of 1851, the former Canon law and customs of the Roman Church in England were broken up, and every cause from England was referred to the Propaganda, which is subject to the Gesu; and under the powers of another Brief, or instrument, owing to some supposed difference in the position of the Roman Catholic communion in Ireland from that of their co-religionists in England, the Pope assumed the following year the power to break up the ancient Canon law, customs, or constitution of the Roman Catholic Church in Ireland, whereby the Roman Catholic Bishops in that country had been privileged to nominate three persons, when a vacancy took place in the Episcopate, one of whom the Pope was bound to choose. In defiance of this, the Pope, acting under the Brief or some instrument of 1852—I think it was—nominated Cardinal Cullen, contrary to the recommendation of the Roman Catholic Bishops in Ireland—a man who was notorious for his Ultramontane opinions whilst employed for thirty years at Rome, and who since he has been in Ireland, as Mr. Whittle plainly shows, has been the source and centre of Ultramontanism. Yet it is with such an ecclesiastic, such a Legate, who has power to bind the bishops when assembled in synod at any time, with such an Ultramontane firebrand at the head of affairs, that we are asked to establish for the first time an exclusively Roman Catholic University in Ireland, knowing that through it he can dominate over the Roman Catholic families in Ireland. I remember the circumstances that were connected with the passing of the Maynooth Act of 1845. Sir Robert Peel was unfortunately induced to propose that measure, and thereby really laid the foundation of the subsequent disruption of his party, for it was at the close of that year, that men began to distrust him as their political Leader. And why? Because they were convinced that the teaching of Maynooth would become what is called Ultramontane. And it has been proved to be so before a Commission of Inquiry since then, that the teaching of Maynooth is Ultramontane. Who, indeed, could doubt that now, with Dr. Cullen at the head of the Roman Catholic hierarchy in Ireland, the teaching could be anything else? Then we are told that, whilst an exclusively Roman Catholic University is to be established in Ireland, without inquiry, we ought to inquire into the conduct of the Protestant landlords of Ireland, and the Protestant Church of Ireland, and it is assumed, and without inquiry, that we who have always objected to the Maynooth Act from the first—that we, who know, that an Ultramontane authority is now predominantly established in Ireland, by the Pope, through Cardinal Cullen—that we are to vote for the establishment of an exclusively Roman Catholic University in Ireland, which will be a glaring anomaly in the whole system of education, that Parliament have hitherto maintained, and this in the teeth of the remonstrances of educated and intelligent Roman Catholics, who have always been the friends of England, and who, I believe, will continue to be so as long as we, Protestants, can keep them free from the domination of the sect which at present in Rome is supreme, and is pursuing the course that was taken by the Jesuits up to the year 1773, when, at the instance of the Powers of Europe, the whole order of Jesuits was condemned and suppressed by the Pope as flagrant and persistent disturbers of the peace of the world. I deeply regret that Her Majesty's Government should have contemplated the introduction of such a measure. Whether they intend to persevere with it a good many of us doubt. And why? There are several right hon. and hon. Gentlemen seated on the Treasury Bench, who have concurred with us, from first to last, in the endeavour to secure the freedom of our Roman Catholic fellow-countrymen by resisting the attempts of Ultramontanism, who have voted with us on these subjects for years, and who have no ground to change their opinions now; for there is nothing in the aspect of the times that can justify such a change, unless it be the fact that the Roman Catholic hierarchy in Ireland are said not to have lent themselves to the Fenian rebellion. Well, that is a very remarkable argument, and a very questionable compliment; for it seems to imply the suspicion that they have an inclination to rebel. Let us bear in mind what will be the inevitable result of a Protestant Government lending itself to the promotion of the supremacy of Ultramontanism—which is but another name for Jesuitism—in the education of the higher classes of the Irish Roman Catholics. M. Cretineau Joly, the historian of the Jesuits, and their great admirer, relates how the Jesuits after their expulsion and condemnation by the laws of this country, secretly crept back into England; and the first gaining possession of Stoneyhurst. Mr. Pitt, occupied by the struggle with the first Napoleon, overlooked or disregarded this circumstance; and we all know that, relying upon the liberal and peaceful disposition of the Papacy manifested by the suppression of the order of Jesuits from 1773, he afterwards established Maynooth, but upon a totally different footing from the present. M. Cretineau Joly relates also the means, by which, through the establishment of Clongowes, a Jesuit college near Maynooth, the Jesuits managed to obtain domination over Maynooth, as they subsequently have in 1836 obtained the command of the Propaganda. I am not disposed, then, to give my support to any proposal for the establishment of Ultramontanism in the important matter of education. It would weary the House, or I might read at length the opinion of many distinguished men upon Ultramontane education. Whom shall I select? M. Lamartine. He was educated among the Jesuits, and he has declared in his work, *Les Confidences,* his profound suspicion and dislike of the Jesuit system of education. I might read to you a description of the sort of education pursued by the Jesuits, which was on their part tendered to the Government of Russia in the year 1812 by the Count de Maistre, author of the *Livre du Pape.* He was an eminent Ultramontane. He condemns the study of natural history, because he says, that, like poetry, it tends to make some men presumptuous, and others ridiculous. And then let the House mark this. The Count de Maistre emphatically condemns the general study of history—he says that the instructor must very carefully select the books; "For that," speaking generally, "no species of literature is more corrupting," and he ends by condemning altogether the general study of history! You cannot say that this is not the Ultramontane system of education. I will give you a more recent instance. Remember that, after the *coup d'état* in France, the Ultramontanists, the Jesuits, in 1852, obtained the command of the University of Paris. They banished the study of history—they drove the Professors of History, Michelet and Quinet, from their chairs; and the study of history remained closed for several years. The right hon. Gentleman the Member for Calne told us that he dislikes historical speeches; but I was glad to hear him objecting to the establishment of a Roman Catholic University, which, if it became Ultramontane, as it inevitably must, would exclude the general study of history, and limit its instruction, as was the case with the University of Paris after the *coup d'état*. Who, then, can believe that the proposed establishment of an exclusively Roman Catholic University in Ireland will tend to the promotion of liberal education? So far from that, I believe it will tend only to disseminate among the laity the opinions for which the Ultramontane faction are remarkable—a stern fanaticism, and a devotion to the ambition of the Holy See, which would be totally incompatible with their allegiance to a Protestant Government. What is the security we are to have that this University, if established, will not be Ultramontane? We are told to rely upon the proposed lay element in its government. It is to have a governing body consisting of five ecclesiastics and six laymen. Well, look at the College of Maynooth. There you have provided lay trustees; but have they been able to control the education which is given at Maynooth? It is notorious that they have not. Read the Encyclical Letter which was issued by the present Pope in 1864. Look at the syllabus of condemned errors, by which it was accompanied, and you cannot fail to understand, that the Pope condemns the idea of any lay influence predominating in education. Then ask yourselves, whether he will ever sanction effectual lay interference in the direction of the studies of a University, which is to be exclusively Roman Catholic. Remember that the Roman Catholic ecclesiastics have, through the terrors wielded by their Church, the power, in any matter, in which their superiority is declared by the Pope, of coercing and subduing any layman, whose conscience is susceptible of obedience to the dictates of the Holy See. Under existing circumstances, therefore, in the present state of Ireland, considering also the Ultramontane violence of the Court of Rome, I believe that no more unfortunate measure could be devised by a Government or accepted by this House than the establishment of an exclusively Roman Catholic University in Ireland.

MR. BRIGHT: When this debate began it was not my intention to take any part in it; for I had very lately, in another place, and to a larger audience, added my contribution to the great national deliberations upon Irish affairs which is now in progress. But the speech of the noble Lord the Chief Secretary for Ireland, and some misunderstanding which has arisen with respect to what I said elsewhere, has changed my intention, and therefore I have to ask for the indulgence of the House, in the hope that I may make on this question rather a more practical speech than that to which we have just listened. It is said by eminent censors of the Press that this debate will yield about thirty hours of talk, and will then end in no result. I have observed that all the great questions in this country require thirty hours of talk many times repeated before those great questions are settled. There is much shower and much sunshine between the sowing of the seed and the reaping of the harvest, but the harvest is generally reaped after all. I was very much struck with what happened on the first night of the debate. My hon. Friend the Member for Cork, in the opening portion of his address, described the state of Ireland from his point of view, and the facts he stated are not and could not be disputed. He said that the Habeas Corpus Act had been suspended for three years in his country—that within the island there was a large military force, amounting, as we have heard to-night—besides 12,000 or more of armed police—to an army of 20,000 men—that in the harbours of Ireland there were ships of war, and in her rivers there were gunboats; and that throughout that country—and also, as we know, throughout this—there has been, and is yet, considerable alarm with regard to the discontent prevalent in Ireland. All that is quite true; but when the noble Lord the Chief Secretary for Ireland opened his speech, the first portion of it was of a very different complexion. I am willing to admit that to a large extent it was equally true. He told us that the condition of the people of Ireland was considerably better now than it was at the time of the Devon Commission. At the time of the Devon Commission the condition of that country had no parallel in any civilized and Christian nation. By the force of famine, pestilence, and emigration, the population was greatly diminished, and it would be a very extraordinary thing, indeed, if, with such a diminution of the population, there was no improvement in the condition of those who remained behind. The noble Lord showed us that wages were higher; he pointed to the fact that in the trade in and out of the Irish ports they had a considerable increase; and though I will not say that all of those comparisons were quite accurate or, perhaps, quite fair, I am, on the whole, ready to admit the truth of the statement the noble Lord made. But now it seems to me that, admitting the truth of what my hon. Friend the Member for Cork said, and admitting equally the truth of what the noble Lord said, there remains before us a question even more grave than any we have had to discuss in past years with regard to the condition of Ireland. If—and this has been already referred to by more than one speaker—if it be true that with a considerable improvement in the physical condition of the people—if it be true that with a universality of education much beyond that which exists in this island—if it be true that after the measures that have been passed, and have been useful, there still remains in Ireland, first of all what is called Fenianism, which is a reckless and daring exhibition of feeling—beyond that a very wide discontent and disloyalty—and beyond that, amongst the whole of the Roman Catholic population universal dissatisfaction—if that be so, surely my hon. Friend the Member for Cork—one of the most useful and eminent of the representatives of Ireland—is right in bringing this question before the House. And I venture to say that there is no question whatever at this moment that we could possibly discuss connected with the interest or honour of the Nation that approaches in gravity and magnitude to that now before us. And if this state of things be true—and remember I have said nothing but what the hon. Member for Cork has said—and I have given my approval to nothing he has said that was not confirmed by the speech of the noble Lord—if this be true, surely all this great effect must have some cause. And we are unworthy of our position as Members of this House, and representatives of our countrymen, if we do not endeavour at least to discover the cause, and if we can discover it, steadily to apply a remedy. The cause is perfectly well known to both sides of the House. The noble Lord (the Earl of Mayo) knows it—it is clear, even from the tenour of his own speech, that he knows it. He spoke of the questions of the land and of the Church. The noble Lord the Member for King's Lynn—whose observations in this debate, if he had offered them, we should have been glad to listen to—understands it, for he referred to the two questions in his speech at the Bristol banquet. The right hon. Gentleman at the head of the Government understands it, not only as well as I do, but he understands it precisely in the same sense, and, what is more, more than twenty years ago, when I stated in this House the things, or nearly the things, I stated recently, and shall state to-night, he, from your own Benches, was making speeches exactly of the same import. And though there is many a thing he seems at times not to recollect, yet I am bound to say he recollects these words, and the impressions, of which these words were the expressions, to the House. The right hon. Gentleman put it in a very short phrase when he described the ills of Ireland as connected with "an absentee aristocracy and an alien Church." I would not say a syllable about the aristocracy in this matter; if I had to choose a phrase I would rather say "an absentee proprietary and an alien Church." Well, what are the obvious remedies? What are the remedies for this state of things that have been found sufficient in every other country? If I could do so by any means that did not violate the rights of property, I would be happy to give to a considerable portion of the farmers of Ireland some proprietary rights, and at the same time to remove from that country the sense of injustice, and the sense—the strongest of all—of the injustice caused by the existence of an alien Church. Just at this moment look at the proposition the noble Lord is about to submit to the House on the land question. It is very like the Bill of last year. I will not enter into the details of the Bill, except to say that he proposes, as he proposed then, that the Government should lend the tenant-farmers of Ireland sums of money, by which they would make improvements, which sums of money were to be re-paid by some gradual process to the Government authorities, and that the re-payment should be spread over a considerable number of years—I do not know the exact number, and it does not in the least matter, so far as my argument is concerned. These tenant-farmers are very numerous—perhaps too numerous it may be, for the good of the country—but there they are, and we must deal with them as we find them. The number of them holding under fifteen acres is 250,000; holding between fifteen acres and thirty acres, 136,000; holding over thirty acres, 158,000: altogether there are more than 540,000 holders of land. It is to these 540,000 tenant land-holders that the noble Lord proposes to offer to lend money, on the condition that they make certain improvements, and re-pay, after a certain number of years the sums advanced to them. I think I am right in saying that there is no limitation in the Bill as to the smallness of the holding to which the lending of money will be refused; and therefore the whole 540,000 tenants will be in a position to come to the Government, or to some Commission, or to the Board of Works, or to some authorities in Ireland, and ask for money to enable them to improve their farms. The House will see at once that if this plan is to produce any considerable result, it will be the source of an enormous transaction, or rather of a number of transactions, such as the Government have not had to deal with in any other matter; and I expect that the difficulties will be very great, and that the working out of the plan with any really beneficial results will be almost, if not altogether, impossible. What I ask the House is this:—If it be right of the noble Lord, to enable him to carry out his plan, to ask the House to pass a measure like this—to lend all those tenants the money for improvements to be re-paid after a series of years, would it not be possible for us by a somewhat similar process, and by some steps farther in the same direction, to establish to some extent—I am not speaking of extending it all through Ireland—a farmer proprietary throughout the country? If it be right and proper to lend money to improve, it surely may be proper, if it be on other grounds judicious, to lend money to buy. I do not know if the right hon. Member for Calne is here, perhaps he is not; but if he were, I hope he would spare me from the severe criticisms he expended upon my hon. Friend the Member for Westminster. Now, I am as careful as any man can be, I believe, of doing anything by law that shall infringe what you think and what I think are the rights of property. I do not pretend to believe or to admit that there is anything, if you examine the terms strictly, in what is called the "absolute property in land." You may toss a sixpence into the sea if you like; but there are things with respect to land which you cannot, and ought not, and dare not do. But I do not want to argue the question of legislation upon that ground. I am, myself, of opinion that there is no class in the community more interested in a strict adherence to the principles of political economy, carried out in a benevolent and just manner, than the humblest and poorest class in the country. I think they have as much interest in it as the rich, and the House has never known me—and so long as I stand here will never know me—I believe, to propose or advocate anything which shall interfere with what I believe to be, and what if a landowner I would maintain to be, the just right of property in the land. But, then, I do not think, as some persons seem to think, that the land is really only intended to be in the hands of the rich. I think that is a great mistake. I am not speaking of the poor—for the poor man, in the ordinary meaning of the term, cannot be the possessor of land; but it cannot be a crime or an evil that any man of moderate means, any farmer, should, if he could, become the possessor of land or of his farm. About two centuries ago, two very celebrated men in this country endeavoured to form a Constitution for Carolina, which was then one of the colonies of this country in North America. Lord Shaftesbury, the statesman, and Mr. Locke, the philosopher, attempted to frame a Constitution, and they did so, with the notion of having great proprietors over the country, and men to cultivate it as tenants holding from them. I recollect that Mr. Bancroft. the historian of the colonization of the United States, describing the nature of that attempt and its utter failure said—

> "The instinct of aristocracy dreads the moral power of a proprietary yeomanry, and therefore the perpetual degradation of the cultivators of the soil was enacted."

There is no country in the world, in which there are only landowners and tenants, with no great manufacturing interests to absorb the population, in which the degradation of the cultivating tenant is not absolutely assured. Now, I hope that hon. Members opposite, and hon. Gentlemen on this side who may be disposed in some degree to sympathize with them, will not for a moment imagine that I am discussing this question in any spirit of hostility, I will not say to the aristocracy of Ireland, but to the landowners of Ireland. I have always argued that the landowners of Ireland, in their treatment of this question, have grievously mistaken not only the interests of the population, but their own. I was told the other day by a Member of this House, who comes from Ireland and is eminently capable of giving a sound opinion upon the point, that he believed the whole of Ireland might be bought at about twenty years' purchase; but you know that the land of England is worth thirty years' purchase, and I believe a great deal of it much more. Well, it is owing to circumstances which legislation may, in a great degree, remove, that the land of Ireland is worth at this moment so much less than the land of England. Coming back to the question of buying farms, I put it to the House, whether, if it be right to lend to landlords for improvements, and to tenants for improving the farms of their landlords, to those who propose to carry on public works, and the men who wish to repair the ravages of the cattle plague—if it be right for Parliament to lend money for all these things—I ask whether it is not also right for them to lend money in cases where it may be advantageous to landlords, and where they may be very willing to consent to establish a portion of the tenant-farmers of Ireland as proprietors of their farms. Now, bear in mind that I have never spoken about peasant proprietors. I do not care whether they are peasant proprietors or what name you give them; I am in favour of more proprietors, and some, of course, will be small and some will be large; but it will be quite possible for Parliament, if it thinks fit, to do nothing for this transfer from the landlord who is willing to sell to the tenant who is willing to buy in cases where there is less than a certain fixed number of acres. I believe that you can establish a steady class of moderate proprietors, who will form a class intermediate between the great owners of land and those who are absolutely landless, which will be of immense service in giving steadiness, loyalty, and peace to the whole population of the island. The noble Lord, as Chief Secretary, knows perfectly well at what price be could lend the necessary money, and I will just state to the House one fact which will show how the thing would work; the extent to which you would carry it would be left to the decision of Parliament. If you were to lend money at 3½ per cent, in thirty-five years the tenant, paying 5 per cent, would have paid the whole money back and all the interest due on it, and would become the owner of his farm; and if you were to take the rate at which you have lent to the Harbour Commissioners, and to repair the ravages of the cattle plague, which is 3¼ per cent, of course the tenant paying 5 per cent would repay the principal sum in a shorter period. Therefore, in a term which in former times was not unusual as the length of leases in Ireland—namely, thirty-one years, the tenant purchasing his farm, without probably his present rent being raised, would re-pay to the Government the principal and interest of the sum borrowed for that purpose, would become the owner of his farm, and during the whole of that time would have absolute fixity of tenure. Every year he would be paying off more and more; every year this field and that field would be added to his ownership; and he would know that at the end of this ordinary term of lease he would become the actual owner of the soil. Let not the House imagine that I am proposing to buy up the whole of the land. I am proposing only to buy it in cases where men are willing to sell, and to transfer it only in cases where men are able and willing to buy, and you must know as well as I that there will be many thousands of such cases in a few years. Every Irish proprietor opposite—the noble Lord the Member for Tyrone (Lord Claud Hamilton) himself, who made so animated a speech, and appeared so angry with me a short time ago—must know perfectly well that amongst the tenantry of Ireland at this moment there is a considerable sum of saved money not invested in farms. Well, that saved money would all come out to carry into effect transactions of this nature; and you would find the most extraordinary efforts made by thousands of tenants to become possessors of their farms by investing their savings in them, by obtaining it may be the assistance of their friends, and by an industrious and energetic cultivation of the soil such as has scarcely ever been seen in Ireland. I said there were landlords willing to sell, and there are cases in which, probably, Parliament might insist upon a sale—for instance, they might insist upon the sale of the land of the London companies. I never heard of much good that was done by all the money of the London companies. I was once invited to a dinner by one of those companies, and certainly it was of a very sumptuous and substantial character; but

I believe that, if the tenants of these companies were proprietors of the lands they cultivate, it would be a great advantage to the counties in which they are situated. I come, then, to this: I would negotiate with landowners who were willing to sell, and tenants who were willing to buy, and I would make the land the great savings bank for the future of the tenantry of Ireland. If you like, I would limit the point to which we might go down in the transference of farms; but I would do nothing in the whole transaction which was not perfectly acquiesced in by both landlord and tenant, and I would pay the landlord every shilling he could fairly demand in the market for the estate he proposed to sell. Well, I hope every Gentleman present will acquit me of intending confiscation, and that we will have no further misunderstanding upon that point. I venture to say to the noble Lord the Chief Secretary, that this is a plan which would be within compass and management compared to that laid down in his Bill, if it worked at all, and I believe this would do a hundred times as much good, in putting the tenants upon the footing of owners of land in Ireland. What do hon. Gentlemen think would become of an American Fenian if he came over to Ireland, and happened to spend an evening with a number of men who had got possession of their farms? I remember my old friend Mr. Stafford, in the county of Wexford, whom I called upon in 1849, who had bought his farm and had built upon it the best farmhouse which I saw in the whole South of Ireland, and who told me that if all the tenantry of Ireland had security for their holdings—he was an old man of eighty years, and could scarcely rise from his chair, though he made an effort to do so—"If they had the security that I have," said he, "we'd bate the hunger out of Ireland." If the Fenian spent his evening with such men as these, and proposed his reckless schemes to them, not a single farmer would listen to him for a moment. Their first impression would be that he was mad; their second, perhaps, that the whiskey had been too strong for him; and it would end, no doubt, if he persisted in his efforts to seduce them from their allegiance to the Imperial Government, by their turning him off the premises, though perhaps, knowing that he could do no harm, they might not hand him over to the police. The other day I passed through the county of Somerset, and through villages that must be well known to many Gentlemen here — Radley-Stoke, and Drayford I think they were called—and I noticed a great appearance of life and activity about the neighbourhood. I asked the driver of the carriage which had brought me from Wells what was doing there. "Why," he said, "don't you know that is the place where the great sale took place?" "What sale?" I asked. "Oh, the sale of the Duke's property." "What Duke?" "The Duke of Buckingham. Did you never hear of it? About fifteen years ago his property was sold in lots, and the people bought all the farms. You never saw such a stir in the world." He pointed out the houses which had been built to re-place old tumble-down tenements; the red soil appearing under the plough; and cultivation going on with general activity such as had not till within these last few years been witnessed. The appearance of these villages, in short, was such as to astonish every person who passed through them, being so wholly different to that which you would see in any other part of the country. Now, what had happened there? The great estate of an embarrassed Duke had been divided and sold. He had not been robbed. The land had been paid for, the tenants were in possession, the old, miserable hovels had been pulled down, new houses had been built, and new life and activity given to the whole district. If you could have such a change as this in Ireland, you would have such a progress or prosperity that Gentlemen would hardly know the district from which they came. I think it is only fair to myself and to my hon. Friend the Member for Westminster (Mr. Stuart Mill), to say that I do not believe the time is come in Ireland, and I do not believe it will ever come when it will be necessary to have recourse to so vast and extraordinary a scheme as that which he has proposed to the House. I think it has been admitted by several Gentlemen that, conceiving such a thing possible, it might save time and money; but it appears to me that it is not necessary for Ireland. There is the land—there is the owner—there is the tenant. If the landowners had been a little wiser we might not have before us to-night the difficulty that perplexes us. Suppose, for example, they had not been tempted to coerce or to make use of the votes of their tenants; suppose they had not been tempted to withhold leases—undoubtedly the condition of Ireland would have been far superior to what it now is. My hon. Friend the

Member for Westminster had some scruples, I believe, on the question of the Ballot; but I believe even he would not object to see that admirable machinery of election tried in that country. Do hon. Gentlemen think it not necessary? I was talking, only two days ago, to a Member of this House who sat on one of the Irish Election Committees—the Waterford or Tipperary Election Committee, I forget which—and he said, "We could not unseat the Members, though the evidence went to show a frightful state of things; it was one of the most orderly elections they have in that country—only three men killed and twenty-eight wounded." [*Laughter.*] After all, we may smile, and some of you may laugh at this; but it is not, in reality, a thing to be laughed at. It is a very serious matter, and it exists in no country in the world where the Ballot is in operation. If you were to try that mode of election in Ireland it would have two results: it would make your elections perfectly tranquil, and at the same time it would withdraw from the landowner—and a most blessed thing for the landowner himself this would be—it would withdraw from him the great temptation to make use of his tenant's vote for the support of his own political party; and if that temptation were withdrawn, you would have much more inducement to grant leases to many of your tenants, and you would take a step highly favourable, not to the prosperity of your tenants only, but to your own prosperity, and your own honour. Now, Sir, I shall say no more upon this question except this—that I feel myself at a disadvantage in making, to a House where landowners are so powerful and so numerous, a proposition of this nature; but I have disarmed them in so far that they can see I mean them no harm, and that what I propose is not contrary to the principles of political economy—and that if Government is at liberty to lend money for all the purposes to which I have referred, Government must be equally at liberty to lend money for this greater purpose — and, further, I venture to express my opinion, without the smallest hesitation or doubt, that if this were done to the extent of creating some few scores of thousands of farmer proprietors in Ireland, you would find that their influence would be altogether loyal; that it would extend around throughout the whole country; that whilst you were adding to the security of Government you would awaken industry in Ireland from its slumber, and you would have wealth that you had not had before, and, with wealth, contentment and tranquillity in its train. Now, Sir, it may appear egotistical in me to make one remark more; but I think, if the House will not condemn me, I shall make it. Last year you did, under the Leadership of the right hon. Gentleman, accept a proposition which I had taken several years of trouble and labour to convince you was wise. Now, on Wednesday last — only two days ago—by an almost unanimous vote, you accepted a proposition with regard to another matter, exactly in the form in which six or seven years ago I had urged you to accept it. You in this House recollect when Mr. Speaker had to give the casting vote amidst vast excitement in the House on the miserable question of church rates; but now, on Wednesday last, you accepted that Bill almost without opposition; and I presume that, except for the formality of a third reading, we have done with the question for ever. Now, if you would kindly for a moment forget things that you read of me that are not favourable—and generally that are not true—and if you would imagine that though I have not an acre of land in Ireland, I can be as honestly a friend of Ireland as the man who owns half a county, it may be worth your while to consider for your own interest, the interests of your tenants, the security of the country from which you come, for the honour of the United Kingdom, whether there is not something in the proposition that I have made to you. Now, Sir, perhaps the House will allow me to turn to that other question which, on the authority of the noble Lord the Chief Secretary for Ireland, and the noble Lord the Member for King's Lynn, and indeed on the authority of the Prime Minister himself, is considered the next greatest — perhaps I ought to have said the greatest—question we have to consider in connection with Irish affairs; I mean the Irish Church question. What is it that is offered upon this matter by the Government? The noble Lord himself said very little about it, but he is evidently not very easy on the subject; he knows perfectly well, and cannot conceal it, that the Irish Church question is at the root of every other question in Ireland. The noble Lord the Member for King's Lynn said also that it was, along with the land, the great and solemn question which we had to discuss, and he turned round—I could see it from the report in the paper, because I was not, as you may suppose at the Bristol banquet —he turned round with a look almost of despair, and implored somebody to come and tell us what ought to be done on this Irish question. And the Prime Minister himself, in speaking of it, called it an "alien Church." Bear that phrase in mind. It is a strong phrase—a phrase we can all understand—and we know that the right hon. Gentleman is a great master of phrases — he says a word upon something; it sticks; we all remember it, and this is sometimes a great advantage. "Alien Church" is the name he gives it; and now, what does the noble Lord, acting, no doubt, under the direction of his Colleagues and the Prime Minister, offer upon this question? Well, he rather offered a defence of it; he did not go into any argument, but still, at the same time, he rather defied anybody to make any assault upon it; he believed that it would not succeed, and that it was very wrong; but what does he really propose? Why this: to add another buttress to it in the shape of another bribe. He says that he will make an offer to the Roman Catholic hierarchy and people of Ireland—some say that the people do not want it, and that the hierarchy does want it; but I say nothing about that, because I hope the Catholic people of Ireland are at least able to defend themselves from the hierarchy, if the hierarchy wish too much to cripple them — he says he will endow a Roman Catholic University in Ireland. As the noble Lord went on with his speech he touched upon the question of the Presbyterian *Regium Donum,* and spoke of it, I think, as a miserable provision for the Presbyterians of the North of Ireland; and evidently, if he had had the courage—the desperate courage—to do it, he would have proposed, whilst he was offering to endow a new Roman Catholic University, to increase or double the *Regium Donum.* The noble Lord does not express any dissent from this, and I rather think he wishes that it was safely done. But the object of the proposal is this — What the noble Lord would like to have said to the hon. Gentlemen about him who came from Ireland to represent the Roman Catholic population, and to the Presbyterians of the North of Ireland, is this:—"If you will continue to support the Protestant Church in Ireland and the Protestant supremacy, we will endow you (the Roman Catholics) a University, really, if not professedly, under clerical rule; and as to you (the Presbyterians) we will double your stipends by doubling the amount of the *Regium Donum.*" Now, why do you offer anything? Why is it we are discussing this question? Why did the noble Lord think it necessary to speak for three hours and twenty minutes on the subject? Because the state of Ireland is now very different from the state which we have sometimes seen, and very different, I hope, from that which many of us may live to see hereafter; because Ireland is in a certain portion of its population rebellious, in a larger portion loyal and contented, but in a still larger portion dissatisfied with something or other connected with the Imperial rule. Now, I must say—I hope the noble Lord will not think I am saying anything uncivil —but I must say that his proposition appears to be at once grotesque and imbecile —and I think at the same time — though I do not like to use unpleasant words— that to a certain extent it must be held to be—in fact, I think the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) hinted as much—not only very wrong, but very dishonest. At this moment it seems to find no favour on either side of the House, although I can understand the Catholic Members of the House feeling themselves bound to say nothing against it, and, perhaps, if it came to a division to vote for it; but I believe there is not a Catholic Member on this side of the House who could in his conscience say that it was right in him to accept this proposition as a bribe that he should hereafter support Protestant supremacy. In fact, it appears to me exactly in the position now that the dual vote was in this time twelve months, and there are people who say that it has been brought forward with the same object—and by-and-by, as nobody is for it, the right hon. Gentleman will say that as nobody is in favour of it he will not urge it upon Parliament. Now, does anybody believe that a Catholic University in Ireland could have the smallest effect upon Fenianism, or upon the disloyalty, discontent, and dissatisfaction of which Fenianism is the latest and the most terrible expression? It is quite clear that, for the evil which we have to combat, the remedy which the right hon. Gentleman offers through the Chief Secretary for Ireland is no remedy at all. I recollect a paper written by Mr. Addison about the curious things that happened in his time, and he says, among other things, that there was a man down in some county — I do not know whether it was Buckingham, or where it was — the man was not a Cabinet Minister, he was only a mountebank—but he set up a stall, and offered to the country people to sell them pills that were very good against earthquake. Well, that is about the state of things that we are in now. There is an earthquake in Ireland. Does anybody doubt it? I will not go into the evidence of it; but I will say that there has been a most extraordinary alarm —some of it extravagant, I will admit—throughout the whole of the three Kingdoms; and although Fenianism may be but a low, a reckless, and an ignorant conspiracy, the noble Lord has admitted that there is discontent and disaffection in the country; and when the Member for one of the great cities of Ireland comes forward and asks the assembled Imperial Parliament to discuss this great question —this social and political earthquake under which Ireland is heaving—the noble Lord comes forward and offers that there shall be a clerically-governed endowed University for the sons, I suppose, of the Catholic gentlemen of Ireland. I have never heard in this House a more unstatesmanlike or more unsatisfactory proposition; and I believe the entire disfavour with which it has been received is only the proper representation of the condemnation which it will receive throughout the great majority of the people of the three Kingdoms. Do not let anyone suppose that I join in the terms which I regretted greatly to hear from the right hon. Gentleman the Member for Stroud (Mr. Horsman), and still less that I join in the, in my opinion, worse and more offensive terms which fell from the right hon. Gentleman the Member for Calne (Mr. Lowe.) There can be no good in our attacking either the Catholic population or the Catholic hierarchy of Ireland. We have our duty straight before us, which is to do both the hierarchy and the people justice. We are not called upon to support, and I believe the people of Great Britain, and a very large portion of the people of Ireland, will rejoice when the House of Commons shall reject a proposition which is adverse to the course we have taken for many years past, and a proposition which would have no better effect in tranquillizing Ireland in the future than the increase of the Grant to Maynooth did in the past, now more than twenty years ago. Sir Robert Peel at that time, with the most honourable and kindly feeling to Ireland, proposed to increase the Grant to Maynooth, and it was passed, I think, by a large majority of the House, I being one of a very few persons on this side of the House who opposed the grant. I was as kindly disposed to the Catholics of Ireland as Sir Robert Peel; but I was satisfied that that was not the path of tranquillization, and that if he trod that path it would before any long time have to be retraced; and I think, if you now proceed upon the course recommended by the right hon. Gentleman, you will fail in the pacification of Ireland, and the time will come when you will have to retrace the steps he invites you to tread in now. Now, Sir, I think we have arrived at this point of the question—that we have absolutely arrived at it, and there is no escape from it—that it does not matter in the least whether the right hon. Gentleman sits on that Bench, or whether the right hon. Member for South Lancashire takes his place, or whether the two should unite—which is a very bold figure of speech—but I say that if the two should unite, it could not alter this fact, that the Protestant supremacy, as represented by a State Church in Ireland, is doomed, and is, in fact, at an end. Now, whatever are the details, and I admit that they will be very difficult details in some particulars, which may be introduced into the measure which shall enact the great change that the circumstances of Ireland and the opinion of the United Kingdom have declared to be necessary, this at least we have come to—that perfect religious equality henceforth, and not only religious equality, but equality on the voluntary principle, must be established in Ireland. Some hon. Gentlemen opposite have spoken about the pamphlet which has recently been written by Earl Russell. I would speak of Earl Russell, as the House knows, as I would always of a man older than myself, and whose services have been so long and so great to the country; I speak of him with great respect, and I say that the pamphlet is written with wonderful fire, that it contains in it very much that is interesting, and very much that is true, but its one fault is that it should have been published about forty years ago. Earl Russell's proposition is politically just in the division which he proposes of the property of the Church in Ireland, and if public opinion had not condemned the creation of new Established Churches it might have been possible to have adopted his scheme as it is. But I say the time has gone by for the establishment of new State Churches.

They will never again be an institution of growth in this country, and I suspect there is no other country in the world which has not an Established Church that would wish to establish one. Now, if the House will allow me, I should like to advert to a little scheme on this matter which I was bold enough to state to my countrymen on the occasion to which I have referred. It is not a new scheme in my mind, for the whole principles of it, with an elaborate argument in its favour, was published very widely in the year 1852, in a letter which I wrote to my hon. Friend the Member for Kilkenny (Sir John Gray) who was one of certain persons—Members of Parliament, and others—who were met in conference in Dublin on the question of religious equality in Ireland. I only state this to show that it is no new idea, and that I have had plenty of time to consider it. There have been great objections to the plan, and amongst those who have objected to it, as might possibly have been expected, were gentlemen of the Liberation Society. Now, I know many of the leading members of that society, and they are very good men. Even those who may think they are mistaken, if they knew them they would join with me in that opinion. One of them, at least, who was once a Member of this House, and in all probability will be here again—Mr. Miall—is not only a good man, but he is a great man. I judge him by the nobleness of his principles, and by the grand devotion which he has manifested to the teaching of what he believes to be a great truth. Now I took criticisms from them kindly, as we ought to take them from our friends when they are honestly given. What is the condition of Ireland at this moment with which you have to deal? There is not only the Church which it is proposed to disestablish, but you have the *Regium Donum*, which, if the Church be disestablished, must necessarily be withdrawn; and you have, if these two things happen, the Grant to Maynooth, the Act conferring which must necessarily be repealed. Now, in doing these things, the House will observe that we shall disturb all the three principal sects, or Churches, in Ireland, and we can only do them, or attempt to do them, on the principle that we are about to accomplish some great public good. Well, my proposal, which some hon. Gentlemen, I dare say, will have some vague idea of, was made with the view of easing Parliament in the great transaction which I believe it cannot escape. It is a great thing in statesmanship, when you are about to make a change which is inevitable, and which shocks some, disturbs more, and makes hesitating people still more to hesitate—it is a great thing, I say, if you can make the past slide into the future without any great jar, and without any great shock to the feelings of the people. Well, now, in doing these things the Government can always afford to be generous and gracious to those whom it is obliged to disturb. We have found that this has been the case when needful changes have been proposed; for instance, hon. Gentlemen will recollect when the Tithe Commutation Act for Ireland was passed, that there was a certain concession made to the landowners of Ireland, to induce them to acquiesce in the proposition of Parliament. We know that when slavery was abolished a considerable sum of money was voted. Lord Derby proposed in this House that compensation should be given to the slave-owners. If it had not been for that, slavery would before long have been abolished by violence. But Parliament thought it was much better to take the step it did take; and I am not, at this period of time, about for a moment to dispute its wisdom. In all these things we endeavour, if we are forced to make a great change, to make it in such a manner as that we shall obtain the acquiescence and the support, if possible, of those who are most likely to be nearly affected by it. Suppose we were going to disestablish the Church of England or of Scotland, and I understand that there are a great number belonging to the Established Church of Scotland who are coming round to the opinion that it would be greatly to their benefit, and I think for the benefit of their Church, if it were disestablished—if we were going to disestablish the Church of Scotland or the Church of England, no person for a moment would suppose that, after having taken all the tithes and all the income from them, you would also take all the churches and all the parsonage houses from the Presbyterian people in Scotland, or from the Episcopal Church people in England. You would not do anything of that kind. You would do to them as we should wish, if we were in their position, that the Government and Parliament should do to us. Do what you have to do thoroughly for the good of the country, but do it in such a manner as shall do least harm, and as shall gain the largest amount of acquiescence from those whom you are about to affect. Well, I should say that that should be the course we should take about Ireland. I am very free in speaking on these matters. I am not a Catholic in the sense of Rome. I am not a Protestant in the sense in which that word is used in Ireland. I am not a Presbyterian as the term is understood in Ireland or Scotland. I am not connected with powerful sects in England. I think, from my training, and education, and association, and thought on these questions, I stand in a position which enables me to take as fair and unimpassioned a view of the matter as perhaps any man in the House. Now, if I were asked to give my advice—and if I am not asked I shall give it—I should propose that where there are congregations in Ireland—I am speaking now, of course, of the present Established Church — who would undertake to keep in repair the church in which they have been accustomed to worship, and the parsonage house in which their ministers live, Parliament should leave them in the possession of their churches and their parsonage houses. And I believe I speak the sentiment of every Catholic Member on this side of the House, and probably of every intelligent Catholic in Ireland, not only of the laity but of the hierarchy and the priesthood, when I say that they would regard such a course as that on the part of Parliament as just under the circumstances in which we are placed. Well then, of course there would be no more Protestant Bishops appointed by the Crown, and that institution in Ireland would come to an end, except it were continued upon the principle upon which Bishops of the Episcopal Church are appointed in Scotland. All State connection would be entirely abolished. You would then have all sects on an equality. The Protestants would have their churches and parsonage houses as they have now; but the repairs of them, and the support of their ministers, would be provided by their congregations, or by such an organization as they chose to form. The Catholics would provide, as they have hitherto done so meritoriously, and with such wonderful generosity, for themselves. No greater instance of generosity and fidelity to their Church can be seen in the world than that which has been manifested by the Catholic people of Ireland. They have their churches, their priests' houses, and in many places their glebes, all of which would be theirs still, and there would be no pretence for meddling with them. In the North of Ireland, where the Presbyterians are most numerous, they would also have their places of worship and their ministers' houses as they have now. All the Churches, therefore, in that respect would be on an equality. Well, now, the real point of this question, and which will create in all probability much feeling in Parliament and in the country, is—what should be done on the question of the Maynooth Grant, and on the question of the *Regium Donum?* They must be treated alike, I presume. If you preserve the life interests of the ministers and Bishops of the Established Church after it is disestablished, it may be right to preserve the life interests of the ministers of the Presbyterian Church, and it may be right also in some way or other to make some provision that shall not in the least degree bring them under the control of the State. And some provision might have to be made to the Catholic Church in lieu of the Maynooth Grant, which, of course, you would be obliged to withdraw. These are points which I will not discuss in detail. I merely indicate them for the sake of showing to the House, and to a great number of people who are regarding it with even more feeling than we do, what are some of the difficulties of this question —difficulties which must be met—difficulties which it will require all the moderation, all the Christian feeling, and all the patriotism which this House can muster on both sides of it, with the view of settling this question permanently, and to the general satisfaction of the three Kingdoms. Now, I will go no further, but to say that whatever is done—if a single sixpence is given by Parliament, in lieu of the Maynooth Grant, or in lieu of the *Regium Donum,* it must be given on these terms only — and on that matter I think Earl Russell has committed a great error—that it becomes the absolute property of the Catholics, or the Episcopalians, or of the Presbyterians—it must be as completely their property as the property of the great Wesleyan body in this country, or of the Independents, or of the Baptists, belongs to these bodies. It must be property which Parliament can never pretend to control, or regulate, or withdraw. And, having consented to that condition, the three Churches of Ireland would be started as voluntary Churches, and, instead of fighting—as I am sorry to say they have been fighting far longer than within the memory of man—I hope soon there would be a competition among them which should do most for the education, the morals, and the Christianity of the population who are within their instruction and guidance. Now, Protestants in this country—I think almost all Protestants — object very strongly to Rome. The Nonconformists object to State endowments. They sometimes, I think, confound establishments with endowments. I think it absolutely essential that establishments should cease, and that there should be nothing in the way of endowment unless it be some small provision such as I have indicated which it might be necessary to make when you are withdrawing certain things which the Churches in Ireland had supposed were theirs in perpetuity. Now, one word which I would say to the Nonconformist people of England and Scotland, if the House will allow me to speak, is this—they should bear in mind that the whole of this property which is now in the possession of the Established Church of Ireland is Irish property. It does not belong to Scotland or to England; and it would be a measure intolerable and not to be thought of that it should be touched or dealt with in any manner that is not in accordance with the feelings, and the interests of the people of Ireland. Let any man who to-morrow criticizes this part of my speech ask himself, what an Irish Parliament freely elected would do with the ecclesiastical funds of Ireland? I think the Presbyterians of Scotland, the Churchmen and Nonconformists of England, have no right to suppose themselves to be judges with regard to religious matters in Ireland. They have a perfect right to say to Parliament through their representatives, "We will discontinue the State Church in Ireland, and we will create no other State Churches." But that seems to be about the extent of the interference which they are entitled to in this matter. I hope I have explained with tolerable clearness the views which I have felt it my duty to lay before the House on this great question. The House will see—and I think hon. Gentlemen opopposite will admit—that at least I am disposed to treat it as a great question which, if it be dealt with, should be dealt with in the most generous, gracious, and, if you like, tender manner by Parliament, as respects the feelings and interests of all who are most directly concerned. The right hon. Gentleman the Home Secretary in his speech last night said that this proposal to disestablish the Established Church of Ireland was in point of fact in some sort a revolution. Well, there are big revolutions and little ones; this at any rate I am satisfied will be a revolution, when it is made, which will be not only bloodless, but full of blessings to the Irish people. I have not said a word—I never said a word in this House, and, I believe, never out of it, to depreciate the character of the clergymen of the Established Church in Ireland. I think no religious ministers are placed in a more unfortunate position; and I am satisfied that many of them feel it. I have not the least doubt when this transaction is once accomplished they will breathe more freely. I believe that they will be more potent in their ministrations, and I believe their influence, which must or ought to be considerable, will be far more extensive than it has been, and far more beneficial in the districts in which they live. But being so great a question, as the Home Secretary described it, it can only be settled by mutual and reasonable concession. The main principle being secured—that State Church supremacy is abolished in Ireland, and that the Irish Churches are henceforth to be free Churches upon the voluntary principle—then I would be willing, and I would recommend every person in the country whom my voice may reach, to make any reasonable concession that can be suggested in the case. I am afraid the right hon. Gentleman opposite is hardly in a position to undertake the settlement of this question; but so anxious am I that it should be done, that I should be delighted to co-operate with the right hon. Gentleman who sits opposite to me, and with hon. Members on the opposite side of the House, in support of any measure for settling this great question. But I say, if it ever does come to be dealt with by a great and powerful Minister, let it be dealt with in a great and generous spirit. I would counsel to all men moderation and justice. It is as necessary to Protestants as to Catholics and to Nonconformists that they should endeavour to get rid of passion in discussing this question, which, of all others, in all countries, is most calculated to create it. We are after all, I believe, of one religion. I imagine that there will come a time in the history of the world when men will be astonished that Catholics and Protestants, Churchmen and Nonconformists, have entertained such suspicion of and animosity against each other. I accept the belief in a very grand passage, which I once met with in the writings of the illustrious founder of the colony of Pennsylvania. He says that—

> "The humble, meek, merciful, just, pious, and devout souls are everywhere of one religion, and when death has taken off the mask they will know one another, though the diverse liveries they wear here make them strangers."

Now, may I ask the House to act in this spirit, and then our work will be easy. The noble Lord, towards the conclusion of his speech, spoke of the cloud which hangs at present over Ireland. It is a dark and heavy cloud; its darkness extends over the feelings of men in all parts of the British Empire; but there is a consolation which we may all take to ourselves. An inspired king and bard and prophet has left us words which are not only the expression of a fact, but which we may take as the utterance of a prophecy. He says —"To the upright there ariseth light in the darkness." Let us try in this matter to be upright; let us try to be just. That cloud will be dispelled. The dangers which we see will vanish, and we may have the happiness perhaps of leaving to our children the heritage of an honourable citizenship in a united and prosperous Empire.

Sir STAFFORD NORTHCOTE: I am sure we are all indebted to the hon. Member for Birmingham, not only for the eloquence with which he has charmed us, but for the earnestness of tone which pervaded the whole and especially the latter portion of his address. We should gain nothing in discussions of this kind, and we should be doing harm to the cause we all have at heart, if we did not recognize in each other, on whichever side we may sit and whatever differences there may be between us, the sincere desire, which I believe pervades the mind of every Member of Parliament, and of every one who has had occasion to study the great question of Ireland, to discover and adopt that course which will conduce to the welfare of the country. There have been moments since this debate began when I was inclined to ask whether the course that was being pursued was likely to be of any benefit. There have been moments when I have asked myself—"What will be the use of the House adopting the Resolution which has been proposed and going into Committee to consider the state of Ireland?" Supposing we were to go into Committee I do not understand what precise function we were to perform. Apparently it was not to be our duty to inquire into the circumstances of the case, for the hon. Gentleman who brought forward the Motion told us that no inquiry was necessary; and on the other hand, we have not had any suggestions of Resolutions by which we might be guided. Indeed, we were invited when we went into Committee to have a sort of free fight; but I greatly doubt whether such a course would be likely to produce any practical advantage. I confess, however, that I was wrong in thinking that the discussion on the Motion of the hon. Gentleman would be unproductive of any result. We have, at all events, had the advantage of free counsel, and we have heard from Gentlemen of different views and representing different interests, their opinions as to the state of Ireland and the remedies for the evils of which they complain. I think that as the debate proceeds we should take stock of the decisions at which we are gradually arriving, and of the points on which we are able to agree, so as to be able to see and consider calmly what really are the points which are likely in the end to remain in dispute. Even if the discussion had been limited to what has been said to-night it would be of great value. We have heard the extreme opinions on one side of the hon. Member for Tralee (The O'Donoghue), who has told us that there is no use in dealing with the land and the Church questions, for that nothing short of the dissolution of the Union will meet the desires of the people in Ireland. At the other end of the scale we have the semi-official opinion of the right hon. Gentleman the late Chief Secretary for Ireland (Mr. C. Fortescue), who has told us that nothing is wanted but what he termed religious equality or the abolition of the State Church. And the right hon. Gentleman said, almost in so many words, "If you will only abolish the State Church in Ireland the landlords and tenants will soon settle their differences, and the landlords will be ready to grant the leases and securities which the tenants desire." Now, when we have such extreme opinions presented to us, and also more moderate schemes from those to whom we are bound to listen with respect, and when, moreover, we have heard the criticisms to which some of those schemes have been subjected, I think it cannot be doubted that we have made progress, and that we shall come out of the debate better prepared than we were before to deal with the question before us. Prejudices and misconceptions must be, to a certain extent, dispelled from the minds of hon. Members, and still more from the minds of the readers of the reports of the debate, and, perhaps, of the people of Ireland themselves. Now, what are the points on which we are likely substantially to agree? We have learnt to appreciate more correctly than before the importance or rather non-importance of the Fenian movement. We have learnt that that movement is to a great extent apart from the great social and political questions respecting Ireland, and yet one which has closely connected itself with those questions. We have seen that the agitation, the discontent, and the sedition characteristic of Fenianism are confined in their extreme form to a comparatively small and humble portion of the people of Ireland. But we have seen, on the other hand, that that agitation, sedition, and discontent have found, unfortunately, too favourable a soil and too much encouragement among others who cannot be described as altogether an insignificant or a humble portion of the Irish people. There is much to console us and something to alarm us in statements of this kind. I am by no means prepared to say that the circumstance of the Fenian movement being chiefly confined to the lower classes is altogether a favourable symptom, or one which ought not to excite special alarm and uneasiness. For, in the first place, there is great difficulty in dealing with those classes. We are necessarily less cognizant of and less familiar with the feelings of the lower classes than with the feelings of those who occupy a higher station in society. Again, we see that a movement originating in the lower classes, sustaining itself, and spreading to a certain extent without leaders, is a more difficult kind of conspiracy to deal with than one which comes to a head, and which has leaders with whom you can measure your strength, and whom you can convince of your superiority. It is one of the worst features of this Fenian conspiracy that its members do not know when they are beaten. Then we have also discovered in the course of the present discussion that the existing discontent is not owing to material suffering on the part of the people of Ireland. On the contrary, we find that contemporaneously with the prevalence of discontent there has been a considerable amount of material progress in that country. This is a satisfactory feature; but it is also an unsatisfactory feature, because it shows that there is some other cause of discontent in the background. Neither does the discontent arise from inequality of laws. Ireland is governed just as England or any portion of this country, and we ought to dispel from our minds any statement to the contrary. [Mr. J. STUART MILL: No, no!] The hon. Member dissents from that, and I remember his saying last night that it was idle to suppose that 550 Members would not outvote 100 Members. But if he means to say that Ireland is governed by the combined force of England and Scotland, I would remind him that, according to that line of argument, Scotland is governed by the still greater combined force of England and Ireland. If 550 English and Scotch Members can outvote 100 Irish, surely 600 English and Irish can outvote 50 Scotch. Ireland has her share in the representation, and if the share is not a sufficient one, that is a subject which there will be soon an opportunity of bringing forward. Neither is Ireland subjected to any extraordinary burdens; on the contrary, I believe it is true that she is more lightly taxed than any other part of the United Kingdom. I think it right to refer to this; but it is a point upon which the people of England would never think of expressing any discontent. It must not be forgotten that England has certain advantages in the expenditure of the joint revenues of the United Kingdom, and we must remember the circumstances under which the Union was effected, which gives Ireland a moral claim to a certain indulgence in the matter of taxation. Still it is a fact that she is treated with that indulgence. What, then, are the causes of Irish discontent? We cannot but see that it is owing chiefly to moral causes, and moral causes are very difficult to deal with. They require careful study and careful treatment, if we would take care not in our ignorance to make those matters worse which we wish to improve. I am free to confess that, to a great extent, the moral causes which produce the discontent of Ireland are attributable to the fault of England. I have no doubt that the past legislation with regard to Ireland, which we have been asked to forget in the course of this debate, has produced such an impression on the feelings of the country as to cause much of the discontent that at present prevails in that country; and I am bound to admit that it is only a just retribution on England for the former political sins which she committed towards Ireland, and for the unjust treatment to which she subjected the sister country at the time when she was at the mercy of England. If that be so, what conclusion is to be drawn from the existing state of things? The first conclusion is that we have before us a great political problem — a problem that is to be approached I may almost say, with fear and trembling. Certainly I may say that we are bound to approach it with earnestness and caution. We should lay aside all party spirit in order that we may deal rightly with the question before us. At the same time I venture to say that the problem demands all our coolness, all our sagacity, and all our self-restraint. On the one side it would be deeply criminal on our part to pass it by and regard it with cool indifference. On the other, it would be equally culpable to apply remedies, until we are pretty confident as to what the effect of those remedies will be. It is not that I shrink from anything new or anything bold. I agree with the hon. Member for Westminster, that there may be times when, not only in Ireland, but in England also, it is necessary to be new and necessary to be bold; but I say that above all things it is necessary to be cautious and necessary to be prudent. How should we treat a patient whose disease is on the nerves; and, politically, the disease of Ireland may be so described? There are two things which we must do. In the first place, we must try to give the patient confidence, and, in the second, we must be careful not to disturb the healing process, if a healing process be going on. We wish to inspire the people of Ireland with a feeling that we consider their cause as one of hope, and that we are prepared to deal with them tenderly and with confidence. I deprecate hasty proceedings. There are two great restoratives to which, in my opinion, we have to look in the case of Ireland. We have to look to the operation of time and we have to look to the operation of justice. When I look to the condition of Ireland I see that it has been brought about mainly by a long course of unjust treatment, and the remedy lies in the reversal of that system, and the working of a long course of justice. I believe it to be a very great fallacy to suppose that you can in a day undo the work of centuries. You must take time, you must be patient; you must not be disappointed if everything you wish is not accomplished at once. We are taunted with having no policy for Ireland. I say we have a policy for Ireland, and that the first and cardinal principle of that policy is justice. I may appeal to the Records of the Administration of Lord Abercorn, and in doing so, I do not claim for him any special merit beyond that to which some of his predecessors are fully entitled; but I name him because he has filled the office of Lord Lieutenant during a trying time, and because he has been armed with powers of an exceptional nature. I ask has not Lord Abercorn's Administration been characterized by this at least—a desire to do justice? It has not been our desire, it has not been the desire of the Government of Ireland, to sacrifice the rights of one party or class to please another — to sacrifice the rights of the Catholic to please the Protestant—to sacrifice the rights of the landlord to please the tenant—or the rights of the tenant to please the landlord. Lord Abercorn and the Irish Government have shown that, whether they have to deal with Roman Catholic or with Orangeman, a political friend or a political enemy, what every one has to expect from them is justice. I am convinced that when that spirit is recognized by the people—as it will be recognized, aye, and as it is being recognized by them—it will do more to heal the wounds of Ireland than any remedies which either statesman or sciolist can devise. We find that discontent prevails chiefly among the lower classes. In this there is matter of satisfaction, because it is among them the sense of justice on the part of the Government takes the longest time in penetrating; but I believe that confidence in that justice is extending and working its way through Irish society, and that at length it will reach the lowest class if we persevere in a course of justice. The first cardinal principle of English policy towards Ireland then should be justice. What should be the next? What agencies are we to employ in bringing home to the minds and hearts of the Irish people the conviction that we are determined to deal with them in the spirit I have described? I think that is only to be done by pressing into our service every influence of which we can avail ourselves, whether personal—or if I may so say—institutional, in order to regenerate and restore the country. It has often been said that there were some peculiarities in the character of the Irish. They have been described as warm, impulsive, and affectionate. I think that they have also the quality of veneration for their immediate superiors, and if that is the case, we must reach their affections and understandings through their superiors who have influence over them. We must, as my noble Friend the Chief Secretary for Ireland said, endeavour to level upwards—that is, by drawing up the lower, not by depressing the higher, classes. We must avail ourselves of those influences which some persons are disposed to look upon with such dissatisfaction — such as the landlord class, the ministers of religion, and the various institutions which by time have obtained a means of access to the people of Ireland, which directly the Government does not possess. How are we to get the assistance of those persons and classes and institutions? I say by inspiring them with confidence—by showing that we are anxious to treat with them — not in the spirit of enemies — to treat with them as persons or bodies not inimical to the people at large. We never shall accomplish our object by treating the landlords as unjust men and oppressors of the tenantry, or by treating the Church as a body which we only wish to get rid of and put out of the way, regarding it as a mere means of evil. We should endeavour as far as possible to bring those various influences to bear upon the great system of society. We ought to show that we have no wish to confiscate or destroy property; but are anxious to bring its possessors to co-operate with us in the great work on which we are engaged. When we come to apply those principles to the difficult question of land we must feel that we have before us a problem of considerable delicacy. There is no man more cautious in this matter than I am disposed to be, or more alive to the danger of limiting or touching private rights, but there are cases where the maxim "*Salus populi suprema lex*" is applicable. To a certain extent the rights and private privileges of the possessors of land must cede to the wants and advantages of the people at large. This principle is not merely one applicable to Ireland, but one which has been recognized and acted upon in the legislation of this country. We know that in numerous cases the Legislature has stepped in and limited the rights of persons in respect of the ownership of land. I hold that we are justified in applying this principle in Ireland; but I would do it cautiously and prudently, I confess, and I would endeavour to obtain the co-operation of those whose rights would be touched, in order that they might recognize the object which we had in view. I say that we must proceed delicately in this matter. I am confident that if we proceed in a spirit of conciliation and wisdom the landlords will not be found backward in bringing about a settlement which, though for the immediate benefit of the tenants, will in the long run be equally for the benefit of the landed proprietors also. That principle we have adopted, not merely in the abstract, because we are prepared to immediately act on it. My noble Friend (the Earl of Mayo) has given notice of a measure which he will bring forward on an early day, and which has for its object the limitation of the rights of the landlord in certain particulars. I venture to think it will gain the assent of every candid man. At all events, we have prepared it in a candid spirit, and I will assume that it will receive a fair consideration, and not be rejected in any spirit of selfishness. But my noble Friend does not stop there. He proposes to issue a Commission to inquire into this difficult and delicate question. The right hon. Gentleman the Member for Louth (Mr. Chichester Fortescue) turns round upon us, and says this is intended merely as an excuse to put off legislation; that having recognized certain abstract principles, we then propose an inquiry which may last for two or three years, postponing action of any kind meanwhile. But what we do propose is precisely the reverse. My noble Friend proposes to deal at once with that part of the question which has been long under the consideration of the House, which has been handled in numerous measures that from time to time have been proposed, and which consequently has reached a stage at which we are enabled to deal with it by practical legislation. But we do not stop there. We do not say that this measure is the be-all and end-all of our policy; we only say when we are asked to go further, that it is but reasonable to urge, with a view to action that shall be for the public advantage, that full and searching inquiry should first be made into what lies beyond the limits of our Bill. I ask whether that is not a practical and statesmanlike way of dealing with this question. Then it is said that this Commission is brought forward for the purpose of clearing the landlords. This certainly was neither the expression nor the intention of my noble Friend, though he did say, undoubtedly, that the result of a strict and searching inquiry would, in his opinion, be to disclose facts creditable to the landlords which hitherto had been kept out of sight. But our main reason for the appointment of a Commission is that in the altered condition of Ireland we are persuaded that it will be both a reasonable and statesmanlike course. Since the Devon Commission, upon the Report of which so many arguments are based, how many changes have taken place!—changes consequent upon the famine, upon emigration, on the introduction of the Incumbered Estates Court, and also upon other legislative measures. Surely, it is desirable, in contemplating and framing new Parliamentary proposals, that we should ascertain what the results of changes like these have been already. We shall be told, of course, that most of these events were purely exceptional in their character, and were traceable, not to any interference of man, but to causes traceable directly to the hand of God. Nevertheless, we wish to know what effects those different causes have been instrumental in bringing about. Have they had the effect of altering the land tenure, of bringing farms together or dividing them, of rendering the enjoyment of property more secure or otherwise? You may call it procrastination to endeavour to obtain this information; but, if so, there are cases, I assert, in which procrastination is a duty, and this is one of them. Then, as to the question of the Church, we are told that we are sustaining an injustice, an admitted injustice, as the right hon. Gentleman the Member for Louth (Mr. C. Fortescue) calls it. But by whom admitted? By those merely who allege the injustice, or by those likewise who are opposed to them in argument? I say, without hesitation, that if I believed the maintenance of the Irish Protestant Church to be unjust, I would sweep it away tomorrow. But I am unable to see that it is so upon any principle that can be laid down, unless it be a principle that would condemn as unjust all Established Churches in any country where the people are not all of one religion. The hon. Member for Tralee and the hon. Member for Birmingham have given us pretty clear indications of their opinion on the point. The hon. Member for Tralee told us that, in his opinion, religious equality in England is only to be attained by sweeping away Establishments; and that is the meaning of those who say that the principle of religious equality must be adopted. I am perfectly satisfied that if you admit the principle that it is unjust to maintain a religious Establishment, and to allow it to enjoy the property which has been made over to it absolutely in a country in which its professors are in a minority, there will be no possibility of stopping until you have swept away all Establishments throughout the United Kingdom. The injustice, if it be injustice, which you say is committed upon the millions in Ireland would not be the less injustice if committed against the hundreds in a parish in England; and it is because the difference in the position of the Church of England and the Church of Ireland is only a question of degree that I say it is impossible for me to recognize the justice of the position of the Church of England and to deny the justice of the position of the Church of Ireland. The right hon. Gentleman the Member for Calne put the argument on this ground—that the Church property was national property, and hence capable of being dealt with. I deny that such is the case. It may originally have been national property; but it has been given to the Church. I do not ask under what circumstances it was given—if, after the lapse of centuries, you are going to inquire into its title, and to ask whether its original appropriation was a right one—I ask whether, acting on the same principle, you mean to push inquiry into the title of all holding property in this country, and how such property was originally derived. If you do, you have before you a serious and a difficult task. I admit that Parliament can, if it chooses, and if it considers that there is sufficient cause, take away the property of the Church, just as it could, for sufficient cause, take away my own; but if you talk of the abstract right of the State in that respect, let me ask, whether it would not be one of the gravest breaches of statesmanship to take away property, whether from the hands of a Corporation or an individual, save for the fullest cause shown, and after the most careful inquiry? I admit that you have a right to call upon the Irish Church to show what use she is making of her property, and we are proceeding to do so; but I am altogether at a loss to know how the retention of property in the hands in which it has been for centuries can be treated by right hon. Gentlemen as an admitted injustice crying for instant redress, when they admit that they had for years in their own hands the power of dealing with it, and altogether neglected the opportunity of doing so. The right hon. Gentleman the Member for Louth (Mr. Chichester Fortescue), in a spirit, I think, of superfluous candour, admitted that there had been upon this question a certain amount of negligence and inattention on the part of the Liberal Government. Supineness and negligence, I think, were his words. I give the right hon. Gentleman and his Colleagues credit for better reasons than that. I believe they had this question before them for many years; that they desired to deal earnestly and conscientiously with it; that they were neither supine nor negligent; but on looking into the question they found that the difficulties which they would have to encounter were, in their judgment, insuperable, and hence they felt justified in letting the question rest. Such, at least, was the language held by the right hon. Gentleman the Member for South Lancashire only three years ago. The right hon. Gentleman then stated that he was not only not required by duty, but that it would be a departure from duty on the part of the Government to assent to the Motion then made with regard to the Irish Church, unless they were prepared to deal with that great question, the difficulties of which he then went on to point out. But what does the right hon. Gentleman the Member for Louth say, for I took down his words at the time? He says, these things depend upon time and season; that duties and obligations go along with possibilities. There is no denying the truth of these words. But how is it that the difficulty which was so obvious and palpable in 1865 is got over in 1868; how is it that possibilities which did not then exist have since come into prominence? Speaking in 1865, the right hon. Gentleman the Member for South Lancashire said—"The whole question is, What is the remedy?" Except in the speech to-night of the hon. Member for Birmingham—who did not deal with the whole question, for he did not touch upon the point of what was to be done with the surplus—I do not think we have had any remedy put before us. The right hon. Gentleman the Member for South Lancashire, at the time of which I have spoken, put very clearly the difficulty of transferring the Church revenues to the Roman Catholic clergy, and also the difficulty of secularizing them; and he added that the mind of the country was against any such project, and that he was not prepared to undertake such a task. Have we heard one word to make us believe that these difficulties have been surmounted, or that what was then impossible has since become perfectly feasible? We have a right, I think, to complain of language like this being held by those who themselves were so recently in power, yet did not approach the solution of these problems. We have a right to complain that men who speak of a grievance as admitted, and of remedies as being demanded by justice, should have left the grievance over to a time when, being themselves without the responsibilities of office, they wish to force upon us the solution of a problem which they at the same time admit they found too difficult themselves. It is in the power of Parliament, no doubt, to take away the property of the Church in Ireland, just as it is in their power to take away any property for good and sufficient reasons, and that it may be done, without violence, and in the form of law. But I say that our policy in regard to Ireland should be a healing policy; and if so, it ought not to be commenced by measures that will cause irritation. It ought to be a a policy to inspire confidence; but I do not think that a policy of confiscation is one that will achieve that object. It ought to be a measure of justice; but I do not think the taking away of property is consistent with justice. This is a matter upon which I feel strongly. I am aware that there are great differences of opinion upon this subject on both sides of the House; and did I feel that the maintenance of the Church Establishment was unjust, I would not say a word upon the subject. But I think the position of the Church is perfectly capable of justification, and cannot be opposed upon grounds of justice without at the same time striking a blow at the whole principle of religious Establishments. You will require a very large measure when you propose so to deal with the principle of Church Establishments. It is impossible not to see that there is a spirit pervading those who are arguing for religious equality which shows that they are going against all distinctive and denominational systems, and that they are verging upon a system of religious indifference. It is against that that we are obliged to raise our voices. I am not arguing for ascendancy; I abhor ascendancy; but I stand up for the Church to which I myself belong, and I say that her property ought not to be unnecessarily and unjustly taken away. I maintain that it is a most unwise measure to touch institutions like the Irish Church, and to take away from her property which has belonged to her for generations, unless you deal with it in a manner which will be consistent with the principles of statesmanship and policy. You must show us that what you propose to do is possible; and, until you can do that, you have no right to come before us and put the demand in the way you do, and we shall have no right to look upon your proposal as the nostrum for the pacification of Ireland.

Mr. MONSELL moved the adjournment of the debate.

Motion *agreed to.*

Debate *further adjourned* till *Monday* next.

INCLOSURE BILL.

On Motion of Sir James Fergusson, Bill to authorize the Inclosure of certain lands in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Sir James Fergusson and Mr. Secretary Gathorne Hardy.

House adjourned at Twelve o'clock, till Monday next.

HOUSE OF LORDS,

Monday, March 16, 1868.

MINUTES.]—Select Committee—On Tenure (Ireland), The Lord Ponsonby and The Lord Meredyth *added.*

Public Bills—*Second Reading*—Railways (Extension of Time) (36).

Third Reading — Ecclesiastical Commissioners Orders in Council (33), and *passed.*

RAILWAYS (EXTENSION OF TIME) BILL.

(No. 36.) SECOND READING.

Order of the Day for the Second Reading read.

The Duke of RICHMOND, in moving the second reading of this Bill, said, that its object was to give a power of granting to certain railway companies an extension of the time within which their works were to be completed. In the year 1847 a measure was passed (11 *Vict.*, c. 3) which empowered the Board of Trade, on application being made within two months from the passing of the Act, to extend the time by two years for the completion of railways. There were under that Act 168 applications in consequence of the great pressure of the money market, and the Act was found to work well. During the last Session an Act was passed to enable parties to go before the Board of Trade, and, under certain restrictions, to obtain power to abandon certain railway lines, and twenty-eight applications had been made under that Act. He was sorry the Act did not contain a provision for the extension of time for completing railways, and he had therefore prepared the present Bill, which would enable companies, under similar stringent regulations, to obtain that power. It had passed through the other House of Parliament, and he believed that, if it should become law, it would be beneficial not only to the companies interested, but also to the public and to the landowners whose property the lines would traverse. In many cases it would be hard upon the public and the landowners to compel companies to abandon their lines altogether. The Bill would enable the Board of Trade to extend for two years the period originally granted for the completion of a railway; the period for making the application having been extended to one year from the passing of the Bill, and a proviso had been inserted in the other House which would enable the Board of Trade to ascertain whether the company applying for an extension of time would be able to complete the line within the extended time, and unless the application be *bonâ fide* it would not be entertained. That provision would prevent any abuse of the powers granted by the measure, which was one to which no objection could then be offered, and which, he believed, would operate in many cases very beneficially.

Moved, "That the Bill be now read 2ª."—(*The Duke of Richmond.*)

Lord REDESDALE expressed a hope that the Board of Trade would take pains to ascertain, before granting warrants, the likelihood of the lines being completed by the time named in them.

Motion *agreed to:* Bill read 2ª accordingly; and *committed* to a Committee of the Whole House on *Friday* next.

ECCLESIASTICAL COMMISSIONERS ORDERS IN COUNCIL BILL—[H. L.]

(*The Lord Chancellor.*)

(NO. 33.) THIRD READING.

Order of the Day for the Third Reading read.

LORD REDESDALE asked, whether the Orders made had not been irregular, and in transgression of the powers contained in the Acts of Parliament of the Commissioners?

THE LORD CHANCELLOR said a number of Orders had been made by the Ecclesiastical Commissioners professing to be in pursuance of the powers contained in the Acts of Parliament, and dealing with the capitular property mentioned in the Schedules of the Bill. He was not prepared to say all, but under many of those Orders purchases and sales had taken place, and the titles of the purchasers had not been questioned. But when two Orders which had lately been made had been presented for the confirmation of Her Majesty in Council, objections were taken by a dignitary of the Church, who presented a petition in the usual form. The petition in the ordinary course was referred to the Judicial Committee of the Privy Council, who felt it to be their duty to report to Her Majesty that those two Orders ought not to be confirmed; and, as some doubt might thus arise with respect to the validity of the other Orders under which purchases and sales of property had taken place, the present Bill had been introduced for the purpose of removing any such doubt. The measure was, he believed, framed in entire conformity with the general practice of removing all doubts with respect to the legality of the action of public bodies who had exercised powers with which they believed they were invested, and under whose sanction large amounts of property had changed hands without any opposition.

In reply to Lord STANLEY of ALDERLEY,

THE LORD CHANCELLOR said, that, so far as he knew, and had been informed, all the cases mentioned in the Schedules of the Bill were cases of Orders where property had changed hands.

LORD REDESDALE said, it was a question whether the Ecclesiastical Commissioners had power to pass Orders which transferred chapteral property to them; but, at the same time, he agreed with the noble and learned Lord upon the Woolsack that any sales which had been made on the faith of these Orders being good ought to be confirmed by Parliament.

LORD STANLEY OF ALDERLEY asked, if there was any objection to stating in the Schedule what was the nature of the transactions?

THE LORD CHANCELLOR said, their Lordships should bear in mind that every one of the Orders had been published verbatim in *The London Gazette* from time to time, and the dates of their publication were given in the Schedule. There had therefore been ample notice to the public as to everything which those Orders professed to do; and their Lordships might infer, from the fact that no one had ever appeared to object to the Orders, that it never occurred to any person, until the two recent occasions to which he had referred, that any objections could validly be entertained.

In reply to Lord STANLEY of ALDERLEY,

The DUKE OF MARLBOROUGH said, that the Orders having been passed by Her Majesty's Council, had, in themselves, the effect of validity in law. In consequence of a recent decision of the Judicial Committee of the Privy Council, however, a doubt arose as to whether the Act of Parliament was sufficient to authorize the Ecclesiastical Commissioners in what they had done; but there could be no doubt as to the validity of Her Majesty's Orders in Council. Large transactions having taken place under those Orders, both in the alienation of property and in the re-transference of estates to the ecclesiastical corporations, it was necessary that an Act of Parliament should be passed to set at rest any doubt as to the power of the Ecclesiastical Commissioners in their share of the transactions; but the Orders of Her Majesty in Council might be supposed to have the effect of validity in law.

Bill read 3^a accordingly; and *passed*, and sent to the Commons.

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, March 16, 1868.

MINUTES.]—Select Committee — On Sale of Liquors on Sunday (Ireland) *nominated;* on Malt Tax *nominated;* on Poor Rates Assessment *nominated.*

Supply—*considered in Committee*—Civil Service Estimates.

Public Bills — *Second Reading*—Oyster and Mussel Fisheries * [54].

Committee—Election Petitions and Corrupt Practices at Elections* [27].

Report—Election Petitions and Corrupt Practices at Elections * [27-63].

COVENTRY ELECTION.

House informed that the Committee had determined,—

That Henry Mather Jackson, esquire, is not duly elected a Citizen to serve in this present Parliament for the City of Coventry.

That the last Election for the said City is a void Election.

And the said Determinations were ordered to be entered in the Journals of this House.

House further informed, that the Committee had agreed to the following Resolutions:—

(1.) That Henry Mather Jackson, esquire, was, by his Agent, guilty of bribery at the last Election.

(2.) That it was proved to the Committee that Thomas Yardley, John Lee, William Weston, William Oswin, and William Moon, were bribed by Stephen Knapp.

(3.) That it does not appear that these acts of bribery were committed with the knowledge or consent of the said Henry Mather Jackson, esquire.

(4.) That there is no reason to believe that corrupt practices have extensively prevailed at the last Election for the said City.

Report to lie upon the Table.

IRELAND—SMALL DEBTS RECOVERY. QUESTION.

Mr. DAWSON said, he wished to ask Mr. Attorney General for Ireland, Whether, in the present defective state of the Laws for the Recovery of Small Debts in Ireland, the Government intend to propose Legislation with a view to the amendment and extension of the present Law?

The ATTORNEY GENERAL for IRELAND (Mr. Warren) said, in reply, that it was not the intention of the Government to propose legislation on the subject this Session. He understood, however, that there was a Motion pending in the other House for the appointment of a Select Committee to inquire into the matter.

INDIA—THE BUDGET.—QUESTION.

Mr. WALDEGRAVE-LESLIE said, he would beg to ask the Secretary of State for India, Whether he will be able to make his Financial Statement regarding the affairs of India before the Whitsuntide Recess?

Sir STAFFORD NORTHCOTE said, in reply, that he would, no doubt, be in possession of the necessary information for the purpose before the Whitsuntide Recess, but he had no reason to suppose that there would be greater facilities this year than formerly for making the Indian Financial Statement so early. Indeed, it would be less necessary to do so in the present year, as it was his intention soon after Easter to call the attention of the House to the present state of the Government of India, and he might then probably make a statement respecting the financial condition of India.

NAVY—NAVAL COMMISSIONS. QUESTION.

Mr. WHITE said, he would beg to ask the First Lord of the Admiralty, If it be true that, in accordance with an Order in Council, a certain number of Commanders were annually selected for promotion to the list of Reserved Captains since 1851, until the said list contained 100 names; and, whether the officers so promoted were not presented with Commissions similar in every respect to those of Captains on the active list, and the usual fees thereon paid by the recipients of such Commissions?

Mr. CORRY said, in reply, that in 1851 and 1852 the Commanders annually selected for promotion to the list of Reserved Captains received Commissions similar to those of Captains on the active list; but in 1852 the plan was altered, and the words On Reserved Half-pay were inserted at the bottom of the Commission. Fees are not paid on Naval Commissions, the stamp duty of 5*s.* being all that is charged. This was charged on the Commissions given to the Reserved Captains, as it has always been on all Commissions, given whether to active or retired officers.

RICHMOND PARK.—QUESTION.

Mr. LOCKE KING said, he wished to ask the First Commissioner of Works, Whether any further Correspondence has taken place since he received the Clarence

Road Company's Letter of the 14th of February; and, what further steps he intends to take to secure for the public a permanent right of way into Richmond Park through the Roehampton Gate, which is now closed?

Lord JOHN MANNERS, in reply, said there had been some further Correspondence since the 14th of February, and that the Clarence Road Company had addressed a Letter to him, to which he had replied. He was not prepared to take any step beyond that indicated in the previous Correspondence for the purpose of securing to the public a permanent right of way into Richmond Park through the Roehampton Gate.

INDIA—BANK OF BOMBAY.

QUESTION.

Mr. DYCE NICOL said, he would beg to ask the Secretary of State for India, Whether, in the Papers respecting the failure of the Bank of Bombay to be laid upon the table, he will include all Minutes of the Members of Council of India on that subject; and, whether he will intimate to the Governor General of India that he considers it desirable that the Commission to be appointed to inquire into the circumstances of the failure of the Bank of Bombay should be composed of persons unconnected with that Presidency?

Sir STAFFORD NORTHCOTE stated, in reply, that the Minutes of the Members of the Governor General's Council were included in the Papers presented respecting the failure of the Bank of Bombay; and there were no Minutes of the Council at home on the subject which it was thought desirable to produce. He should not feel it his duty to intimate to the Governor General that he considered it desirable that the Commission to inquire into the circumstances of the failure should be composed of persons unconnected with the Bombay Presidency. Such a proceeding would imply an imputation upon the Governor of Bombay, which was not called for.

IRELAND—ALLEGED SEDITIOUS SPEAKING.—QUESTION.

Mr. COGAN said, he rose to ask Mr. Attorney General for Ireland, If his attention has been called to the report of a speech said to have been delivered at a meeting of the Protestant Defence Association in Rathmines, near Dublin, on Friday evening last, by a Rev. Mr. Ferrars, who is represented to be a clergyman of the Established Church in Ireland and a Fellow of Trinity College, Dublin, in which he is reported to have spoken as follows:—

> "If the Church Establishment were destroyed in Ireland, there cannot, there shall not, there must not be peace in Ireland. (Peals of Kentish fire.) If they think the Protestants of Ireland will succumb without a struggle they know not with whom they have to deal. (Renewed rounds of Kentish fire.) That I say solemnly before God. (Cheers.) If they want us to die as martyrs we will die as soldiers first. (Continued Kentish fire.)"

The next passage to which he would call attention was uttered, not in the same speech, but in a second speech, in which the speaker acknowledged a vote of thanks unanimously passed for the first speech. The passage he referred to was the following:—

> "Speaking for Trinity College, he could assure them it was sound to the core. (Kentish fire.) If ever it should be required, he hoped it would not, to turn out the students of old Trinity, they would show they could do their work. (Rounds of Kentish fire.) He knew them, and was glad to see many of them present."

He wished to know whether Mr. Attorney General for Ireland has taken any steps to ascertain whether such report be accurate; and, if so, whether he considers the use of such language at a public meeting was a violation of the Law; and, should such be his opinion, whether, taking into consideration the present condition of Ireland, he considers it should be allowed to pass with impunity, or is it the intention of the Irish Government to take any action in the matter?

Mr. BENTINCK said, before the right hon. and learned Gentleman answered the Question, he hoped he might be allowed to put that which stood in his name on the Paper, which was, Whether his attention has been called to the report of the proceedings at a dinner given at Dublin during the Recess to a Rev. Mr. Lavelle, who is represented to be a clergyman of the Roman Catholic Church in Ireland, when the room was placarded with the suggestive names of M'Manus, Meagher, Wolfe Tone, Fitzgerald, and O'Brien (persons convicted of treason); and the Rev. Mr. Lavelle is reported to have spoken as follows:—

> "In the face of a system of legislation which he could only designate as a reign of terror, the fact that so many should be bold enough to meet was a sign Ireland was not dead but sleepeth. He was not going to preach revolt against English authority just now, but he laid it down on the word of a priest, that resistance to authority simply so

> taken was never condemned by the Catholic Church (tremendous cheering) and, so far from condemning people honestly standing up against unjust authority, the Church of God, in her mercy and wisdom, bestowed upon them her divinest blessing. (Deafening cheers.) The dim prospect was near the dawn. He would never furl his flag, and it would one day, and shortly too, wave over a free and emancipated people."

And, whether he has taken any steps to ascertain whether such report be accurate; and, if so, whether he considers the use of such language at a public meeting is a violation of the Law; and, should such be his opinion, whether, taking into consideration the present condition of Ireland, he considers it should be allowed to pass with impunity, or is it the intention of the Irish Government to take any action in the matter?

THE ATTORNEY GENERAL FOR IRELAND (Mr. WARREN): Sir, in answer to the Question, proposed by the right hon. Member for Kildare, I have to state that my attention was, for the first time, called to the speech by the Notice of Motion given by the right hon. Gentleman. I have since communicated with the Gentleman who made that speech, and I have been informed by him that the report is incorrect, and that matter has been omitted from the report which affects considerably the observations he made. I have further to state that, in my opinion, the law has not been violated, and the Attorney General neither could nor ought to interfere. With respect to the speech alleged to have been made by the Rev. Mr. Lavelle, some two or three months have elapsed. However, I may state to the House that, by my directions, shorthand writers attended the meeting and the speeches were fully reported to me. I arrived at the conclusion that that was a most mischievous speech, and that the law was thereby violated; but having regard to all the circumstances, I advised the Government to the effect, that it was not expedient to prosecute Mr. Lavelle for that speech.

ABYSSINIAN EXPEDITION EXPENDITURE.—QUESTION.

CAPTAIN VIVIAN said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the Estimate of the probable Expenditure on account of the Abyssinian Expedition, which was presented to the House in November last, is likely to be exceeded; and, if so, whether he is prepared to say to what extent, and what are the circumstances which account for the same?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I think it has been usual for this House to be content till the Budget has been brought forward in order to learn whether the Estimates have been exceeded or not; and I think it highly inconvenient for piecemeal financial statements to be elicited from the Chancellor of the Exchequer by questions addressed to him in this House. But, under the circumstances of the case, I do not propose to decline to answer the Question of the hon. and gallant Member. The public mind has been made uneasy by exaggerated statements as to the expenditure going on in Abyssinia, but I trust that in answering the Question I shall not be considered as affording a precedent for the repetition of this practice. My right hon. Friend the First Minister of the Crown stated in November last that it was estimated that if the expedition lasted, as was anticipated, to the end of April, the expenditure would amount to £3,500,000, and in certain eventualities it might extend to £4,000,000. From the best means of information at my disposal, I am able to state that I believe, up to the time I am speaking, the expenditure in Abyssinia will be covered by the lower of these two amounts.

CAPTAIN VIVIAN said, he would beg to ask, If the right hon. Gentleman will lay the Estimates on the table?

THE CHANCELLOR OF THE EXCHEQUER: I must decline to do so.

MR. CHILDERS said, he wished to know, if he had correctly understood the right hon. Gentleman. The Chancellor of the Exchequer stated that the First Lord of the Treasury had said in November that, if the expedition lasted till the end of April, the expense would be so much, but he went on to say that the Estimate had not been exceeded. Did he mean to say that in the middle of the month of March the Estimate for the expedition till the end of April had not been exceeded?

THE CHANCELLOR OF THE EXCHEQUER: What I stated was, that my right hon. Friend had informed the House in November last that, if the Expedition lasted till the end of April, the expense would amount to £3,500,000, and might extend to £4,000,000; but that I believed that the whole expenditure up to the present time would be covered by the lower of the two amounts—namely, £3,500,000.

POST OFFICE—THE AMERICAN MAILS QUESTION.

MR. BAXTER said, he wished to ask the Secretary to the Treasury, If there is any Memorandum or Minute by Mr. Frederick Hill, regarding the Contracts entered into last year for conveying the Mails to the United States and British North America; and, if he will lay such document upon the table?

MR. SCLATER-BOOTH, in reply, said, he had made inquiry on this subject, and found there was a document at the General Post Office answering generally the description of the hon. Gentleman. It was a Memorandum drawn up by the Assistant-Secretary, for the guidance of his superior officers in forming their opinion. It would be contrary to precedent, and inconsistent with the public service to produce it. He might, however, state that the Paper referred to a proposal for a Contract differing in many important particulars from the Contract finally approved by the Government.

METROPOLIS—CARTOON IN WESTMINSTER HALL.—QUESTION.

MR. MONK said, he wished to ask the First Commissioner of Works, For what object a Cartoon was lately exhibited in Westminster Hall?

LORD JOHN MANNERS, in reply, said, the Cartoon in question was a design for the ornamentation proposed by the Architect to the Palace of Westminster to be placed between the statues of Sovereigns of England in the Hall, and had been removed by his orders so soon as his attention was called to it.

WATER SUPPLY COMMISSION. QUESTION.

MR. THOMSON HANKEY said, he would beg to ask the Secretary of State for the Home Department, When the Water Supply Commission, appointed above twelve months since, is likely to make its Report?

MR. GATHORNE HARDY replied, that he had made inquiry on the subject, and found that the Commission was still engaged in taking evidence, and he could not state whether it would be able to report in the course of the present Session.

METROPOLIS—THE THAMES EMBANKMENT.—QUESTION.

MR. THOMSON HANKEY said, he would also beg to ask the First Commissioner of Works, What is the cause of the delay in completing the Thames Embankment from Westminster to Blackfriars Bridge; has it arisen from any dispute between the Railway Company and the Metropolitan Board of Works; and, if this has been the case, has the difference been settled, and when is the Embankment likely to be open for public use? Since placing the Question on the Paper he understood that the First Commissioner had no charge whatever of the Embankment works; but perhaps the Vice-President of the Board of Trade would be enabled to answer the Question. Having seen in a newspaper of that morning that the arbitrator of the Board of Trade had reported, he might perhaps be allowed also to ask if that is the case, and whether there will be any objection to place a Copy of it on the table?

MR. STEPHEN CAVE said, he understood that the delay in completing the Embankment was owing to certain differences between the Railway Company and the Metropolitan Board of Works. Under a clause in the Metropolitan District Railways Act the Board of Trade appointed Mr. Hawkshaw as an arbitrator. With that appointment the functions of the Board of Trade ceased. He (Mr. Stephen Cave) learnt from a Report of a Committee of the Metropolitan Board of Works, published in *The Times* that morning, that the arbitrator had made his award, and the purport of it appeared to be contained in that Report, but no copy of the award had been forwarded to the Board of Trade. If his hon. Friend wished to move for it, he did not suppose that there would be any difficulty in producing it in obedience to an Order of the House.

COLONEL SYKES said, he wished to know, Whether the right hon. Gentleman was not aware that delay in the completion of the Thames Embankment had arisen from the bankruptcy of one of the contractors?

MR. STEPHEN CAVE said, he had not the slightest idea.

ECCLESIASTICAL TITLES BILL. QUESTION.

MR. SCHREIBER said, he wished to ask the hon. Member for Meath, Whether he will state after what hour on Wednesday he will not proceed with the Second Reading of the Ecclesiastical Titles Bill?

MR. MACEVOY said, he would not proceed with it after half-past four o'clock.

SLAVE TRADE PAPERS.—QUESTION.

MR. GILPIN said, he would beg to ask the Secretary of State for Foreign Affairs, When the Slave Trade Papers for the past year will be laid upon the table of the House?

LORD STANLEY said, in reply, the Slave Trade Papers for the past year were in the printer's hands, and he understood would be ready next week.

FIRE PROTECTION.—QUESTION.

MR. M'LAGAN said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to bring in a Bill this Session to carry into effect the recommendations of the Select Committee on Fire Protection of last Session?

MR. GATHORNE HARDY said, in reply, that he could not promise to bring in a Bill in accordance with all the recommendations of the Select Committee of last Session, but he thought the Government would deal with the suggestion that inquiry should be made as to suspicious fires. At the same time he must not be understood as giving any distinct pledge on the Question.

WRECK RETURNS.—QUESTION.

MR. MILLER said, he wished to ask the Vice President of the Board of Trade, When a Return will be laid upon the table of the House of the number—1st, Ships totally lost on the coasts of Great Britain; 2nd, Partial losses; 3rd, Lives lost by shipwreck in 1867?

MR. STEPHEN CAVE replied, that he hoped that the Wreck Return for the United Kingdom for 1867 would be ready for circulation within two months.

ARMY EXPENDITURE.—QUESTION.

MR. O'BEIRNE said, he would beg to ask the hon. Member for Brighton, Whether, in the event of the Army Estimates being proceeded with on Thursday evening, he should proceed with his Motion for a reduction of the Army Expenditure?

MR. WHITE, in reply, said, whenever the Government proposed to take a Money Vote he should bring forward the Motion of which he had given notice for a reduction of Expenditure.

STATE OF IRELAND.

MOTION FOR A COMMITTEE.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [10th March],

> "That this House will immediately resolve itself into a Committee, with the view of taking into consideration the condition and circumstances of Ireland,"—(*Mr. Maguire*:)

And which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "before the consideration by this House of constitutional changes in the laws and institutions of Ireland, it is both just and expedient to inquire into the causes of alleged discontent, and the best mode of remedying the same,"—(*Sir Frederick Heygate*,)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed*.

MR. MONSELL said, that he must congratulate the hon. Member for Cork (Mr. Maguire) upon the cordial sympathy for Ireland which had been elicited from both sides of the House during this debate. He (Mr. Monsell) thought all must feel that the time for action with reference to the grievances of Ireland had now come. Public opinion was ripe for it. Many different suggestions had been made on the subject, and it was to contribute very humbly his part towards the solution of the question that he ventured to ask the indulgence of the House. He was fortunate in immediately succeeding in the debate the right hon. Baronet the Secretary of State for India, whose speech was temperate and conciliatory, and he begged to thank the right hon. Baronet for it. But would the right hon. Baronet permit him to say that it appeared to him that though his premises were those of the right hon. Gentleman the Member for Louth (Mr. C. Fortescue), his conclusions were very much tainted with the opinions of those Gentlemen representing the North of Ireland, who sat immediately behind him. The right hon. Baronet said that the cardinal principle of the Government policy with regard to Ireland was justice; and, in order to make his meaning more precise, he went on to say that if he thought the position of the Protestant Church unjust, he would sweep it away to-morrow. That principle he would endeavour to bear in mind throughout his observations; because he cordially agreed with the noble Lord the Chief Secretary, that to be influenced in their legislation by threats of any kind would not only be cowardly, but the very reverse of wisdom. What, then, he understood the right hon. Baronet to mean—what he (Mr. Monsell), at all events, meant by such a statement, was this—that any law or institution in Ireland which the English and Scotch people under similar circumstances would maintain, ought to be maintained; but any law or institution that existed in Ireland which the English and Scotch people, under similar circumstances, would never allow to exist in Scotland, ought to be altered and abolished. Did the right hon. Baronet accept that interpretation of his words? The right hon. Baronet did not accept that interpretation. Then "justice" with him was a mere geographical term, depending for its meaning upon the side of the Channel on which it was applied. Whatever the right hon. Baronet might think on the subject, he (Mr. Monsell) was satisfied that the Irish people would not be content with a measure of justice less complete than that which would satisfy the people of England. With regard to the condition of Ireland, he had little to say. There was no doubt that what had been said by his noble Friend the Chief Secretary for Ireland with regard to its material progress was in the main true. He agreed with his noble Friend that there had been great progress in Ireland in almost every particular in latter years, since milder and more just institutions had been introduced into that country. He knew that, although there was a greater amount of misery in Ireland in proportion to the population than perhaps could be found in any other civilized country—that although there was a larger proportion of people in Ireland than elsewhere upon whom no ray of hope ever shone from their cradle to their graves—still great progress had been made in Ireland within the last few years. No doubt, wages had been and were rising; the houses, dress, habits of the people were improving, and among many classes there was a considerable increase of wealth—above all, education had done its work—we had no longer to deal with an ignorant mob, but with men of sensitive and refined feelings, who were able to compare their own position with that of their own class in other countries, who knew and understood their rights, and were determined to assert them. There seemed to him to be some confusion of thought even in the mind of the Chief Secretary, still more in that of other speakers, as to the bearing of Fenianism on the questions they were discussing. His noble Friend, speaking of the Established Church, asked, what good would you do by overthrowing it? Do you think the Fenians care about it? His right hon. Friend the Member for Calne made the same argument against establishing a Catholic University. Would the Fenians, he said, thank you for doing so? The assumption in both cases was that you could do nothing to allay Irish discontent except by satisfying the Fenians. Nothing could be more untrue. The Fenians, no doubt, would be conciliated by nothing that this House could do; they were aggregated to the secret societies of Europe, and their object was to establish a Democratic Republic. They were the enemies of the priests as well as landlords; but they were few in number; and, if the mass of the Irish people were contented, there would be no more danger to society in Ireland from Fenianism than there was in England. Indeed, he believed that there were more sworn Fenians in England than there were in Ireland. No; our danger was not from the Fenian thousands, but from the millions whose discontent went very near to disaffection. He believed in his conscience that the proportion of the Irish population that was discontented to the heart's core was greater than the proportion of the English population that last year carried the Reform Bill, and a few years ago forced Free Trade from the hands of a reluctant aristocracy, and this discontent was increasing and deepening; its outward signs were repressed by force, but the spirit burned more deeply within. What was the cause of this discontent? What were the grievances that gave rise to it? Of what had the Irish people to complain? A few years ago, Lord Russell, in speaking of Irish grievances, said—

> "Before long, if you do not redress them, the Irish people will say, 'We have not justice; we are determined to have justice, and it is not to be had from an English Parliament.'"

This is precisely the language now. They are unwilling, even by petitions, to approach this House; they believe that here Irish interests are sure to yield to English or Scotch opinions or prejudices. Well, he (Mr. Monsell) was happy to acknowledge that this view was a very incorrect one. A great change had come over the manner in which hon. Gentlemen viewed Irish questions. There was now a sincere desire to govern Ireland according to Irish wants. But was the Irish opinion of us altogether unreasonable? Had it no foundation in even very recent history? Would the House bear with him while he considered this question? In the first place, was Lord Russell's statement true when he described the course of our conduct towards Ireland in the following words:—

> "In 1780, 1793, and in 1829, what had been denied to reason was granted to force. Ireland triumphed, not because the justice of her claims was apparent, but because the threat of insurrection overcame prejudice, made fear inferior to bigotry, and concession triumph over persecution."

Were these facts likely to inspire confidence in our good will? Then he (Mr. Monsell) asked them to fix their eyes on the years that intervened between 1848 and 1864. The great Irish tribune was gone; famine had decimated the Irish people; and unsuccessful insurrection had prostrated them; agitation had ceased. These were two great questions on which the House had pronounced its judgment. More than twenty years ago, it had pronounced the Church settlement to be unjust; twenty years ago, it had admitted the legal relations between landlord and tenant to be unjust to the latter, and an obstacle to the material progress of the country. During those years of quiet and prostration he had described, were those grievances removed, or even mitigated? No; on the contrary—there was a cry raised then, "Let well—very well—alone; the Celtic race is flying; we shall soon be rid of it." Is this a true statement? If it be—and it certainly is—can hon. Gentlemen wonder that the Irish people are slow to believe the undoubted fact that you are now prepared to redress their grievances? He now would proceed to consider the policy of Her Majesty's Government. Was it equal to the emergency? Was it—to use the words of the right hon. Baronet the Secretary for India—a policy of justice? Would its adoption by the House convince the Irish people that we were determined to legislate for them on the same principles that we should legislate under similar circumstances for England or for Scotland? He (Mr. Monsell) could give the best proof that he did not approach the question in a party spirit by not expressing in his criticism of the suggested measures a single opinion he had not on former occasions expressed in that House. With regard to the University question, he fully recognized the spirit of conciliation in which his noble Friend had proposed his scheme. There could be no doubt that, measured even by a money standard, the present conditions of University education in Ireland were a serious grievance to Catholics. The sons of those who conscientiously objected to sending their sons to Universities where their own religion was not taught were prevented from obtaining degrees; and without degrees they were placed at a disadvantage with their Protestant fellow-subjects. Irish parents were very like English parents in this particular. They had just the same objection to sending their sons to Protestant Universities as English Protestants had to sending their sons to Catholic Universities; and again, both objected to Universities where no religion was taught. A want, then, doubtless existed. Was the proposal of her Majesty's Government the best way of meeting it? Undoubtedly the plan would not produce religious equality in education. The Catholic University was to be unendowed—Trinity College was to preserve the whole of its ample revenue. However, the question was one for the Irish people to pronounce their opinion upon. Whatever that opinion was, he (Mr. Monsell) should be prepared to give effect to it. He entirely agreed with the Royal Commission on Endowed Schools—

> "That ultimately the decision of whatever has to be decided must rest with the parents, and even at present no step can be taken with any chance of success without the most careful consideration of their wishes."

He ventured, however, to say that his own opinion on the matter had not changed. He still thought the multiplication of Universities an evil. He thought that the University of Dublin ought to be made a really national University, with separate Colleges affiliated to it. He believed that such a change would promote the intellectual development, not of Catholics only, but of the Protestants themselves. In the United States it was admitted that the multiplication of Universities had most injuriously affected the higher education. He passed next to the land question. He would give the fairest and most favourable consideration to his noble Friend's Bill when it was submitted to the House. He trusted that it might, at all events, mitigate some of the admitted evils of the present system; but he must repeat the opinion he had deliberately expressed last Session — that any measure which did not directly or indirectly tend to promote stability of tenure by granting leases would not be satisfactory; and he was not disposed to wait for the Report of a Commission upon a matter on which they had already abundant information to guide their deliberations. It had been clearly shown by his hon. Friend the Member for the City of Cork (Mr. Murphy) that the giving or withholding leases was very intimately connected with the carrying out of the electoral system, and the obtaining political influence; and that, while in the northern counties, where landlords and tenants were united in political sentiment, leases were common; while in the southern counties, where that community of feeling did not exist, they were very rare. He could not pass from this subject without referring to the proposal made on Friday night by his hon. Friend the Member for Birmingham. It was too important to be dealt with incidentally in a debate that comprised so many subjects; but he must say that he entirely concurred in the object he sought to attain. No greater benefit could be conferred on the farming class than to facilitate the acquisition of landed property by those among them who, by their industry, had shown themselves capable of using that property well. The agreements for purchase and sale, which his hon. Friend proposed to sanction and encourage, would be voluntary, and therefore could not, directly or indirectly, interfere with the rights of property. He did not wish to see Ireland divided among small proprietors; but a small and occasional infusion of that class would be most beneficial to its social system. He had now shortly referred to those questions upon which Her Majesty's Government proposed to submit measures to the House. He now came to the great and absorbing one on which their policy was inaction; and he felt bound to express his deliberate conviction that Ireland would never be contented, peaceful, or happy so long as religious ascendancy, the badge of English domination and Irish degradation, was allowed to exist. The right hon. Baronet the Secretary of State for India had asserted that England and Ireland more governed Scotland than England and Scotland governed Ireland; but would the right hon. Baronet name any institution in Scotland which was preserved there by force against the will of the Scotch people? Such was the case in the days of Sharpe and Dundee, but it was so no longer. The hon. Baronet the Member for Londonderry had said that, because England and Ireland were united, they should have the same Established Church. That was not Lord Macaulay's opinion. He said that England and Scotland were one because they had two Churches, and that, because England and Ireland had one Established Church, they were divided in feeling. Could the right hon. Baronet, consistently with the profession that justice was the cardinal principle of the policy of the Government to which he belonged, contend that one-eighth of the population of Ireland should monopolize the whole of her Church property? Could he maintain that, in Munster, for instance, 91,000 Protestants should possess the whole of what ought really to be shared by more than 1,400,000 Catholics? If he treated the thousands as his exclusive friends, could he wonder at the millions being his enemies? Would the English or Scotch people tolerate for a day such an application to them of the cardinal principle of justice? But, if the instincts of every man's nature acknowledged in the abstract what such an application of justice to a sensitive people must result in, are there no precedents by which it is demonstrated that the *à priori* reasoning is sound? Look at Canada. The Chief Secretary has told us that the Irish Canadians are loyal. There was much disloyalty in Canada when Lord Sydenham, some thirty years ago, went there as Governor General. Would they listen to an extract from one of his letters—

> "The Clergy Reserves have been and are the great overwhelming grievance; the root of all the troubles of the province; the cause of the rebellion; the never-failing watchword at the hustings; the perpetual source of disorder, strife, and hatred. If you attempt to give the Church of England any supremacy, five-sixths of the province will never submit to it, and you will have a sound, loyal, and stirring population against you?"

Well, his wise counsel was attended to. Religious ascendancy was abolished; and now, while the Habeas Corpus Act is suspended in Ireland, you are putting arms into the hands of the Irish Canadians. You are not afraid to enrol them as Volunteers. They are ready in any emergency to defend the institutions which they love, because under them they enjoy justice and equality. What are the objections to pursuing in Ireland the course that has succeeded in Canada? Dr. Hallam said—

> "It was undoubtedly presumed, as it was in England, that the Church and commonwealth, according to Hooker's language, were to be two denominations of the same society, and that every man in Ireland who appertained to the one ought to embrace, and in due time would embrace, the communion of the other."

The hypothesis on which the State took their Church property from the Catholics and transferred it to the Protestants has proved to be erroneous. Notwithstanding long persecutions, the Irish people have not embraced the Protestant communion—they are Catholics still. When the reason for taking away their Church property has been proved by experience to be erroneous, how can a settlement based upon admitted miscalculation be allowed to endure? Some rather ignorant people say, "Oh, but the landlords are chiefly Protestant." But every landlord or his ancestor purchased his property subject to the payment of tithe. That property he never paid for is not his; it belongs to the State. The tithe is a chief rent on all the lands of Ireland. Then it is said—If you establish religious equality you will make the Protestants disloyal. He answered—Justice never created disloyalty. Those who are deprived of anything they unjustly possessed fret often and fume; but the principle of justice implanted in the human heart soon gets dominion over them. Then an appeal is made to Protestant sympathies. Are you going, it is said, to take a course which will increase the spiritual influence of the Catholic Church, and inflict a blow upon the Protestant religion? Would the spiritual influence of the Catholic Church be increased by the course he recommended? See what it is now. More than £5,000,000 have been contributed since the beginning of the century to churches and convents and schools by voluntary offerings; about £700,000 a year is paid annually for the maintenance of the clergy. Catholic zeal is increasing from year to year. His noble Friend remarked that the Fenians are few now in the rural districts. Why? Because the influence of the clergy is sufficient to check it where, as in the country districts, the population are easily accessible to them. He (Mr. Monsell) did not see how the spiritual power of Catholicism could be much greater than it is. Then as to the expected decay of Protestantism. Did Protestantism decay under the voluntary system? Look at the Free Church of Scotland. It is completely organized. It has churches, schools, ministers in abundance; it has foreign missions; its income is nearly £400,000 a year, every halfpenny of it arising from voluntary contributions. But it may be said that there are sufficient numbers of its adherents in every parish to support it, and that this would not be so in the case of the Irish Protestant Episcopalian. Look, then, at Lower Canada, where, as he had mentioned, the Episcopalian endowments have been suppressed. He had the most accurate information as to the spiritual condition of the Protestant Episcopalians there from a friend who, knowing Ireland well, had had during the last few years greater opportunities than any other man of knowing the condition of Canada. What were the facts? The Protestants there had decent churches in sufficient numbers—a sufficient number of clergy. These clergy were neither fanatical nor unduly under the influence of their flocks; and so much zeal was there among the laity that a man who in Ireland would give for religious objects £5 or £10 would in Lower Canada give £250 or £500. Well, if the objections to religious equality be proved to be groundless—if its establishment were essential to the peace of Ireland—what ought they to do? He was himself in favour of a re-distribution of the Church property; but he was constrained to bow to the opinion in favour of disendowment which prevailed so strongly in this country. He accepted the scheme laid down by his hon. Friend the Member for Birmingham. Then it was asked, whether, after all, religious equality would produce the great results he anticipated from it; and whether, after all the sacrifice of prejudice that must be made for its attainment, it would produce peace in Ireland. That without it the foundations of peace could never be laid was obvious. He heartily believed that, followed as it would be by measures conceived in the same spirit that conceded it, it would produce peace and contentment. The Constitution under which we lived was so free and so liberal; it was so strong to protect—so just, that unless when some obstacle, such as he sought to remove, interfered, it must attach to it those who came within the sphere of its influence. The right hon. Baronet the Secretary of State for Ireland recommended procrastination. He (Mr. Monsell) believed that procrastination would be fraught with danger. He did not speak of danger arising from the Fenian element in America. No doubt, although disorganized, it was powerful; but they were strong enough to resist it. It might torment and annoy, and even wound; but it could not strike us in any vital part. When he spoke of danger, he spoke of danger to peace and social order. Just as the Brunswick societies arose as the precursors of Catholic Emancipation, Protestant Defence Societies are now arising as the precursors of religious equality. These societies were presided over by a noble Earl, brother to the Protestant Bishop of Tuam, which, with endowments of £27,000 a year, had within it 488,000 Catholics and 17,000 Protestants. At the meetings of these societies language most offensive to Catholics was used. The endowments of the Protestant Church were defended by abuse of the Catholic religion. It would be, indeed, a melancholy thing if the Irish Church Establishment — noxious in its day of power—were, in its prolonged agony, to be the means of ranging two sections of the population against one another under hostile banners—of separating friend from friend, and embittering the relations of social life. Would it be well for Ireland to be cursed with religious warfare in addition to her other ills? He entreated the House to decide without delay whether the Irish Church Establishment was to be maintained or abolished. For his part, he counselled them to break the last link of the chain of conquest. The last steps in ascending a mountain peak were the steepest and most difficult. Here they had the strong arm of justice to support them. The effect of justice would be peace. They would knit together in an indissoluble bond the hearts of all the Queen's subjects.

MR. BUTLER-JOHNSTONE congratulated himself on rising at a comparatively late period of the debate, when the main point at issue had been evolved from a mass of questions which at first confounded all arrangement and almost baffled discussion. Irishmen had been often taunted with not knowing their own minds, or with being so divided into parties and factions that it was impossible to get at what they wanted. This taunt, however, was somewhat unjust, or, at least, greatly exaggerated. Were there no parties in England? And he might ask with James I., "Do you expect the kingdom of Ireland to be like the kingdom of Heaven?" In 1795, when Pitt and the Duke of Portland met Mr. Grattan at the time of Lord Fitzwilliam's Lieutenancy, the real Protestant feeling of the country was in favour of the Catholics; that fact was full of happy augury for Ireland. A forcible remark was made by Chief Justice Bushe when he said that, however good a thing for Ireland union with England was, it came too soon; if union had been delayed until all antagonistic elements in the kingdom had been welded together, the Act would have proved of benefit to both countries. He would not, however, waste the time of the House in discussing points of theory relating to the past, but would proceed to discuss the three questions of the future—the land, the Church, and education. Respecting the land, he thought the thanks of the House were due to the hon. Member for Westminster (Mr. Mill) for having made his proposition, because he had forcibly called attention to the importance and gravity of the present crisis, which he (Mr. Butler-Johnstone) thought it impossible to exaggerate. Not only were the safeguards of individual liberty suspended in Ireland, but we had an army of 20,000 men under a renowned General, and supported by 12,000 constabulary to maintain the peace in that country. Until Ireland should be pacified—whatever might be said about our greatness — we were not a nation, but a distracted community. But there was another reason why the thanks of the House were due to the hon. Member for Westminster, and that was because he had stated, with his usual frankness, in all its bareness the creed of a great number of politicians, both of the press and of the platform—the creed which preached—however deftly it was disguised—confiscation or appropriation of the rights of landlords. It was a great thing when a man such as the hon. Member for Westminster—whom even his political enemies admired—espoused an error and said all that could be said in its favour; the impartial observer could then decide without fear on the merits of the question, and he believed the impartial would in this case declare that the champion of appropriation was prostrate. The hon. Member had compared Ireland with other countries; but, in answer to the right hon. Member for Calne (Mr. Lowe), he gave a definition of political economy and said that it was not a set of practical maxims to be applied indifferently to any State, but a scientific process for the investigation of economical truths, and that one of the principal factors to be taken into account in solving its problems was the peculiar condition of any given country. Now this was precisely what his opponents had all along been saying. The real question was, not what could be done in India, Prussia, or Belgium, but what could be done in Ireland? What might be of use on the banks of the Ganges and the Hooghly might be utterly unfit for the banks of the Shannon and the Boyne. In India and Prussia, where customary fixity of tenure had always existed, it was easy to give it the force of law, but not equally so where the practice had first to be introduced. The comparisons instituted between Belgium and Ireland were equally fallacious. The one country was largely urban, industrial, and manufacturing in the character of its population; the other chiefly rural, agricultural, and non-manufacturing. The Rhine provinces, again, were favourable to the cultivation of the vine; and the hon. Member had told them that, if there was any kind of cultivation suitable to peasant properties, it was that of the vine; while, on the other hand, the cultivation of the potatoe was the very worst suited to this experiment. Upon the question of compensation to tenants, special legislation was right and natural. It was no doubt the fact that, as they were told, the agricultural condition of Ireland was hopeful — the rents, in proportion to those in England, were low, considering the size of acres, and that the burden of tithe and poor rate, instead of falling, as in England, on the occupiers, fell in Ireland—the whole of the one and the half of the other — on the owners of property. The building, however, of farmhouses and offices, which, in England and Scotland, generally fell upon the proprietor, in Ireland generally devolved upon the tenant, and for that reason he thought it justifiable and natural that compensation should be provided by special legislation in the case of tenants' improvements. Upon that subject he thought the Government had done almost all they could be called upon to do; they had offered to bring in a Bill giving compensation to tenants, increasing the leasing powers of limited owners, and encouraging written contracts for land. To the proposal to make further inquiry he objected, because almost everything that could be known upon the subject was already ascertained, and it was dangerous to keep open the question, and to allow hopes, which never could be realized, of benefits resulting from future legislation to be dangling before the eyes of the tenants in Ireland. He had now said all he could in favour of the Government. He thought, however, that Her Majesty's Government had thrown away a great opportunity. This had been called by anticipation the Irish Session, as last year's was known as the Reform Session, and that of the year before as the Cattle Plague Session; and, the eyes not only of England but of Europe, were looking to the Imperial Parliament for action on this matter. The right hon. Gentleman at the head of the Government told them on the first night he came into the House as Premier that on the Irish question—which he especially singled out—the noble Lord would state the policy of the Government. For two long—he would not say dreary, but two long and lively—hours the noble Lord the Chief Secretary had entertained the House with statistics upon the state of Ireland, proving to demonstration that there was a great deal of milk and butter in the South of Ireland, and that it was a land flowing with milk and honey, only a little soured with the taint of Fenianism. All this rose-coloured account boded little good as an indication of what the Government meant to do for Ireland. Suppose a doctor were to assure a patient suffering from scarlet fever that, in other respects, he was in excellent health, and that he only needed a change of air, one would not expect him to prescribe any but an homœopathic remedy. It was not, however, so much the homœopathic character of the Government treatment that he (Mr. Butler-Johnstone) objected to, but that, in one important point at least, he believed the remedy would aggravate the symptoms. Did not the real disease of Ireland lie in the unreasoning violence of its so-called religious bodies? Upon one side there was Mr. Ferrers, on the other Mr. Lavelle; upon one hand there was ascendancy, on the other hand Ultramontanism. What was the proposal of the Government? Why, to leave ascendancy, and to aggravate Ultramontanism. Talk of quackery! Quackery was a science compared to this. It might be a truly liberal policy, but it was not statesmanship; it was a rule of thumb. It was said that the object was to conciliate the Ultramontanes. He wished them joy in the attempt. And upon this subject he hoped that the hon. Baronet the Member for Galway

(Sir Rowland Blennerhassett), who was well acquainted with the wants and wishes of the Roman Catholics, would be led to give his views to the House. The attempt to conciliate Ultramontanism had been made in other countries, and had it succeeded in Italy, in Austria, in France, or in Belgium? If ever Belgium fell a prey to the avarice of her neighbours, it would be through the violence of the Ultramontanes within her own borders. As regarded the Established Church, he respected the hesitation of any body of men who felt unwilling to deal with this question; but at the same time, if the British Legislature intended to conciliate Ireland, it was impossible not boldly and courageously to face the problem. The Established Church in Ireland had a revenue of £750,000 for less than one-eighth of the population, while the Church of the majority was discountenanced and outlawed. At the same time, it was a question out of which he did not think much political capital was to be got; it would probably break more than one Administration before it was finally settled; and it would probably be also the line of demarcation which would in future divide parties in this country. Underlying the main question there were many exciting problems which must be faced and fought out in the British Parliament. What was the Established Church in Ireland? It was the name and attributes of a national Establishment, and close on £750,000, drawn from the soil of Ireland, and bestowed on a Church whose votaries numbered less than one-eighth of the population, while the really national Church was outlawed and discountenanced. It was sometimes said that though the English Church was in a minority in Ireland, it was in a majority in England. But suppose the 5,000,000 of Roman Catholics, instead of lying at the western extremity of the United Kingdom, occupied a central position between the Trent and the Solway, how long did the House suppose the Established Church of England would be retained in that portion of the country? Yet Roman Catholics in Ireland were as much entitled to just and equal treatment as if they filled the Northern counties of England. The argument that the Church Establishment in Ireland entailed no grievance upon the Roman Catholics because the tithes were paid by the landlords, involved a double fallacy. The charge fell ultimately upon the tenant, and the change transferring the payment to the landlord in the first instance was only a change of machinery. Besides, even if landlord and tenant were both Protestants, the question was not who paid the rent-charge, but whom did it belong to? That it belonged to the State for the spiritual benefit of the people of Ireland there could be no question whatever. He hoped that for the sake of the peace of Ireland, the House of Commons would soon discuss that question with a view to its satisfactory settlement. He should be the first to deprecate any violent or vindictive reversal of policy. He thought the Irish Church Establishment ought to be dealt with not only leniently, but generously; and he confessed that nothing would please him so much as that the generous and self-sacrificing spirit of our truly liberal Church should lead her to wish to withdraw from a position which was not conducive to true religion; for it could not conduce to true religion to maintain a system calculated to promote discord, and to be a perpetual cause of mutual hatred and aversion. Though a member of the Church of England, and one devotedly attached to her creed, he could not wish to see her continue in the false position which she occupied in Ireland. These being his opinions, he confessed he was grievously disappointed when he heard what was the policy of Her Majesty's Government. He had known that the right hon. Gentleman at the head of the Administration was a man who knew how to deal boldly and comprehensively with a great political problem; the right hon. Gentleman had shown that last Session. Well, then, seeing that he had become the unfettered head of a Government, he had expected that the Prime Minister would not allow himself to be controlled by the action of any organized faction, however energetic. In 1844 the right hon. Gentleman described the Church in Ireland as an alien Church, and declared that Ireland required "a strong executive, a just administration, and ecclesiastical equality." If those were the opinions of the right hon. Gentleman in 1844, was there any reason that he should have changed them twenty-four years after? Had anything occurred since in the condition of Ireland to make those views no longer applicable to the case? On the contrary, had not everything that had occurred since then in the state of Ireland, which at the present moment, was so lamentable, tended very strongly to confirm the opinions expressed by the right hon. Gentleman in 1844? They were not his (Mr. Disraeli's) opinions only. They were shared in by every man who had impartially considered the question. Such persons were unanimous in thinking that it was impossible to deal with the Irish question without dealing with the Irish Church. Lord Dufferin, who was entitled to be regarded as an authority on Ireland, had said—

> "The most vital and important measure for Ireland is the establishment of religious equality on the broadest basis. The recognition of this principle would lead to a solution of most of our difficulties."

For himself, regarding as he did the Irish question as the most important one which Parliament had at present to consider, he should be prepared to follow any Leader on whichever side of the House he might sit, who had something more than a mere hand to mouth policy, and who was prepared to deal adequately and effectively with the existing exigencies of Ireland.

Mr. GREGORY: * When the right hon. Gentleman the Member for Buckinghamshire was appointed First Minister of the Crown, rumours circulated freely through the Press and through the House of Commons that he was about to distinguish his Premiership by comprehensive and liberal measures towards Ireland. This opinion rested on the estimate that was formed of the resolution and intelligence of the right hon. Gentleman; it was fortified by the celebrated speech of 1844, alluded to more than once in this debate, in which he spoke of "a weak Executive, an absentee aristocracy, and an alien Church" as the main evils of that country; in which he stated that the key to unlock the Irish difficulty was religious equality; and in which he wound up by affirming with great emphasis "that an Administration which contented itself with merely performing its executive functions, and which had neither policy nor plan, was unworthy of the name of a Government." But when the time came for the exposition of the Prime Minister's policy towards Ireland the rumours were of a very different kind. It was whispered that difficulties had arisen; that there were murmurs, if not actual signs of mutiny, in the camp; and it was perfectly well understood that a fresh course of "education" would have to be instituted ere his followers would be in a proper state of mind to support the measures which his sagacity had long since recognized as necessary. This state of things accounted for the speech of the noble Earl (the Earl of Mayo), the longest he had ever heard in Parliament. If the noble Lord had had a satisfactory message to convey he would not have entered into a kind of stud-book description of the blood and pedigree of the various performers in the Irish Government; he would not have thought it necessary to dwell so long on the improved condition of Irish roads and of Irish lunatics. He would have had something to announce, and would have come speedily and with alacrity to the point. If he might venture to prophecy, he (Mr. Gregory) would venture to pronounce that many of the noble Lord's proposals would be like the untimely birth of a woman, and would never see the sun. He would presently advert to these proposals. First of all, however, he must refer to the speeches of two right hon. Gentlemen, the Member for Stroud (Mr. Horsman) and the Member for Calne (Mr. Lowe). There was certainly never a worse exemplification of the saying, "That in the multitude of counsellors there was safety." There was neither safety nor unanimity in the counsels of these two Privy Councillors. They reminded him of the two celebrated Doctors—the Pessimist and the Optimist—in one of the well-known novels of Voltaire. The right hon. Optimist, the Member for Calne, declared that all was well in Ireland; that the Fenians were only a few miserable artizans, intent on plunder and below contempt; that there was nothing to be done, except to destroy the Protestant Church, and then all would be right. If the right hon. Gentleman could have seen as he had seen, even in a part of the country totally unaffected by the conspiracy of Fenianism, the rush of people, when the post came in, to buy, not the ordinary vehicles of news but, the organs of sedition and rebellion; if he had seen people almost in rags spending their pennies to bring home these papers, and others forming themselves into anxious groups while they were being read aloud, he would have seen how ready the soil in the country was ready for the reception of these noxious seeds; if he had seen the funeral processions in the great towns he would have recognized what were the feelings of the artizan classes in them. The other Privy Councillor took the Pessimist view. "We were on the brink of a volcano," said he. "The country was mined with conspiracies. The tenants were flying from their farms. The agricultural population was engaged in conspiracy and outrage." Nothing could be more unreal than this statement. The Fenian conspiracy was most limited; it was confined to a few points in the rural districts of two or three southern counties, and to some towns. The province of Connaught was free from it; so was the North; so were most of the midland counties. As for the tenants flying from their farms, and the agricultural population being steeped in conspiracy and crime, he thought the right hon. Gentleman must have fallen asleep in 1822 and to have just awakened in 1868. So far from tenants flying from their farms, he had not heard any instance, in his part at least, of any farmer throwing up any holding, which could be dignified by the name of a farm, in order to fly away; and as for the peasants being occupied with outrage and conspiracy, the charges of the Judges at the recent Assizes proved that an absence of crime was the distinguishing feature of Ireland at the present moment. In his own county—Galway, only a few days previously, Judge Keogh had congratulated the Grand Jury that, on the calendar, there did not appear a single case of sedition or attempt at insurrection. He (Mr. Gregory) quite agreed with an hon. Member who had recently spoken (Mr. Agar-Ellis), that to give way to panic because of these Fenian outrages would be most unseemly. But there was another thing equally unseemly, and that was, on account of the Fenian outrages that our pride should restrain us from concession. This Fenian outbreak had nothing to do with concessions. Its leaders asked for none. They said in plain language, in those letters which he believed to be authentic, that they had no great ground of complaint against England, but what they demanded was an independent Ireland, and all the concessions which the most liberal friend of Ireland could demand, would be mere scraps; that peace and tranquillity should never be permitted without the establishment and recognition of a free Irish Republic. If that were really the general feeling, the situation of that country would be indeed deplorable; for every one in his senses must know that unless Ireland became the prize of a foreign conqueror separation was impossible, and everyone who had resided much in Ireland must feel in his heart that the day of separation from England would be the prelude of anarchy and bloodshed as terrible as any of the catastrophes of the past. They were indebted to the hon. Member for Westminster (Mr. Stuart Mill) for the admirable manner in which he had treated of separation in his pamphlet. But was it because of these wild and visionary schemes of wild and visionary men that nothing was to be done? Above all things let them clear their conscience. This very Fenian challenge was not without suggestion. It brought them at once to one of two conclusions, either to close their ears to all suggestions, to suspend the laws, and govern by the sword, or to endeavour without prejudice and pride to consider what would be the action of a fairly elected Irish Parliament. Now, he (Mr. Gregory) had endeavoured to conceive—and he knew in so doing, he was drawing somewhat largely on his own imagination and on the imagination of his hearers — that an Irish Parliament was summoned, composed of wise and prudent men representing all interests and classes. Such an assembly would, first of all, without doubt, endeavour to deal with the land question. There had been innumerable proposals set on foot for treating this difficult subject. Many of them were of the wildest and most impracticable character. He would not take up the time of the House in discussing them. The whole tone of this debate showed a great unwillingness to trench on the rights of property; but he must allude to one proposal advocated in a recent speech of great moderation and of extraordinary power by the Member for Birmingham (Mr. Bright). The object of that proposal was to establish a peasant proprietary in Ireland. It was to be a purely voluntary arrangement on the part of the seller. For his own part he was not unwilling to give a trial to this proposal, although, not by any means, confident of its success; but if it were to be tried it must be accompanied by strict provisions against subdivision. Ireland was now just emerging from that state of infinitesimal subdivisions which had been permitted and encouraged by the neglect, the avarice, the ambition, and the good nature of former proprietors. The Irish farmer, so called, had in too many cases, until recently, been in the condition of half farmer half labourer, eking out a miserable subsistence from a patch of potatoes, and seeking to obtain anything beyond the food which this patch supplied by an occasional job from his landlord or elsewhere. That state of things had now passed away, and a great change for the better had come over the appearance of the country. In former days slovenly tillage, rags, recklesness, and poverty met the eye at every turn. Now, farms were larger, better tilled, the tenants had stock, their diet and dress was improved, crime had ceased, and drunkenness had greatly diminished. ["No!"] Some hon. Member said, "No"; but he spoke from his own experience. In his own neighbourhood in former days the roads were almost impassable on a market night; but now drunken men were comparatively rare. Only the other day he met a number of his own tenants, and they all agreed that the country and their condition had vastly improved since the "bad times" of 1847. He was aware that there was still at times great distress, especially on the islands and the sea coast, and that too in his own county; but let them compare the statement of the condition of Ireland made in 1823 by Dr. Doyle, the Roman Catholic bishop of Kildare, with that of the American Minister Mr. Adams, in 1865—

> "It is scarcely imaginable on what a pittance one of these wretches endeavours to subsist. In fact, almost like the savage of the American deserts, he lies down on a little straw on the floor, and remaining there motionless all the day, gets up in the evening, eats a few potatoes, and again throws himself on the earth, where he remains till morning. Thus he drags out an existence which it were better were terminable in any way than continue as it is. The population is increased by improvident marriages. These marriages are the result of the poverty of the people. They say they cannot be worse, and their extreme poverty throws them together like savages in a wood. It is a frightful state of society. It fills one with so much pain and horror, that I have frequently wished to God that it were his will, rather to take me out of life than to leave me to witness such scenes, which are almost beyond the endurance of human nature."

Mr. Adams had visited Ireland in 1865. His account of it was published in the American blue book, and he described it as advancing, and as showing less signs of poverty than many other countries. He (Mr. Gregory) did not think that the arguments of the Member for Cork were strengthened by endeavouring to prove that Ireland was in such a wretched condition. In his opinion, it would have been better to have accepted all the statistics of the Chief Secretary, to have acknowledged that there had been a material improvement of the state of the country; but that, with all, the Habeas Corpus Act had been suspended. To return to the question of the establishment of a peasant proprietary, he should be very glad to see such a proprietary established; but the question to be solved, was such a proprietary possible in Ireland? He did not deny that in many instances such a condition was attended with success and happiness; but this success depended on circumstance and climate—on circumstance, as in North America, where boundless territory offered the inducement of fresh farms rather than of subdivision—of climate, as in more southern countries where grain crops could be always grown by the small proprietor. But in Ireland the constant wet and uncertain climate told against small holdings—the stars in their courses fought against Sisera—the Atlantic showers fought against small holdings. To succeed at present the farmer must have stock—to keep stock in the winter there must be hay or roots. These could not be obtained from minute subdivisions of land, and, therefore, as he before said, it was essential for the well-doing of the country that, in case the proposal of the Member for Birmingham should be tried, every precaution should be taken to prevent a renewal of subdivision. But, although he had described the country as improving, did he think nothing should be done as regards land; on the contrary, he fully believed that in the ideal Parliament he had sketched, increased stability of tenure would, to say the least, be encouraged. He (Mr. Gregory) was a firm believer in the necessity of changing the present loose parole system of tenure for one of increased and fixed duration. In his opinion, inducements should be held out to landlords to give, and, not only that, but to tenants to accept leases, for it was well known that in many instances tenants were even unwilling to receive them. Then came some untoward occurrence—the good landlord had to sell, or he died—the tenants fell into harsh hands, and accusations were made against the whole body of Irish landlords, owing to the misconduct of a few. He (Mr. Gregory) would wish to see this state of things—that it should be quite as exceptional for a respectable farmer not to have a lease, as it is exceptional for him to have it at this moment. Such a state of things would be good for the landlord and good for the tenant, and good for the whole community; for with increased stability would arise increased confidence in and attachment to the institutions of the country, under which men live. Now, as a general rule, he (Mr. Gregory) believed that there was a great deal of mutual good feeling between the landlords and tenants of Ireland. But he certainly was surprised to hear from the right hon. Member for Calne (Mr. Lowe) that he had examined many witnesses before Committees, and had never heard a well-authenticated case of hardship experienced by any tenant. He would give him an instance which occurred only a few days previously. The Law Life Society of England, one of the largest proprietors in Ireland, which drew £17,000 a year from the counties of Mayo and Galway, had some very curious arrangements. One was that a tenant making a demand upon the company for improvements was obliged to send in with the claim a notice of surrender. Recently, the tenant of a farm which had been impoverished by his predecessor applied to have some portion of his rent laid out in improvements, and offered, in return for a lease, to lay out £200 himself. The reply returned was that he must serve notice of surrender, and when the time came the company or its agents—considering that the tenant was a pestilent fellow for making these demands—insisted upon the surrender being carried out. He had already spent money in reclamations, he had paid every shilling of his rent, and yet he was turned out by a civil bill ejectment, and forced to pay his November rent in December. Judge Keogh stigmatized the company's procedure in the strongest terms. In granting the ejectment, he said—

> "Here is a solvent, improving tenant, owing nothing, a skilful man, not a mere frieze-coated farmer, an independent, a rich man. What return does he get for all this? He gets a yearly notice of surrender, and he is forced to pay his November rent in December. It is perfectly impossible that a resident proprietor could have such a state of things occurring in the country on coming before this Court."

Upon all Irish questions, the Legislature seemed to have carried out the principle upon which Bumble treated the paupers. He said—"I know what they want, and when they come to me and ask me for anything, I give them something else, and they do not come again." The Irish tenant asked for some stability of tenure, on the faith of which he might make improvements, and he received a complicated system of compensation for improvements which he did not want and could not understand. This was the precise course also adopted as regards education. The Irish Parliament, which he had idealized, would naturally be disposed to yield to the general feeling of the country, and not to resist it. In England they had hitherto deferred to the demand for denominational education, to Ireland they had refused it. In England, with its Protestant views, and wide difference of Protestant tenets, dogmatic teaching was of comparatively small moment, compared with the importance attached to it by Roman Catholics. In England, they had heard the heads of both the great parties, Messrs. Disraeli, Hardy, and Henley on one side, and Mr. Gladstone on the other, affirming the virtue and necessity of dogmatic and doctrinal teaching, yet they steadily reject the demands of all the Roman Catholics in Ireland, backed up a large proportion of the clergy of the Church of England, that the same measure should be meted to Ireland wherewithal they meted to themselves. The right hon. Member for Buckinghamshire (Mr. Disraeli) laid down, with no faltering accents, that to the Church of England must be committed the teaching of the youth of England. At a great Church meeting in Buckinghamshire, on October 30th, 1862, he said—

> "If I am to consider what are the means by which the nationality of a church is to be asserted; I say, in the first place, it is hardly necessary to affirm that the Church should educate the people."

But if any Irish Member were to rise and ask, that to the Roman Catholic clergy of Ireland should be committed the teaching of the Roman Catholic youth of Ireland, then would forthwith start from their seats philosophers who hate religion, and Scotch Members who love religion, but who hate the Pope, and they declare that the Irish laity must be protected against their clergy. He had always remarked the propensity of certain Members of the House of Commons to protect some one who neither wanted nor asked protection against some one else. The Irish Roman Catholic laity could protect themselves perfectly if they pleased; but as he did not hear of any protests on their part, and as he did not perceive the slightest symptom of their being disposed to separate from their clergy on this point, he had no hesitation in supposing that they concurred in their demands. He (Mr. Gregory) lamented that at the large Protestant meeting assembled at the Rotunda, the other day, for the defence of the Church Establishment, a resolution should have been passed deprecating "that any control over the education of their countrymen," that is, of course, of their co-religionists, "should be in the hands of the Roman Catholic clergy." Now, he would venture to say that there were few of the noblemen and gentlemen on that platform who had not received their early education at the hands of clergymen, and who were not prepared to place their sons under the same tuition. He would also venture to assert that there were few of the Protestant clergy then present who had not claimed for themselves to educate the Protestant youth. If that were so, then, he said, it was painful that, in these days of freedom of opinion, any number of noblemen and gentlemen should band themselves together, and declare themselves to be the elect, that their religion was the only channel through which truth could flow, and that they should constitute themselves the arbiters and judges of what was right and wrong in theological doctrines, and should insist, in the case of millions of their fellow-countrymen, on disallowing claims, which they arrogated for their own spiritual teachers. Had they chosen to say we will tolerate nothing but pure secular education they would have been impartial; but he (Mr. Gregory) would have differed with them, for he believed a religious education to be more essential to the Irish people than to the less excitable and more law-loving races of the other parts of the British dominion. He said more law-loving, for in Ireland tradition went for much, and the traditions of English laws as stamped upon the Irish mind were not connected with mildness, broadness, and impartiality, but with one-sidedness, harshness, and oppression. The extraordinary absence of crime in Ireland was, in his opinion, quite as much attributable to the public exhortations and private influences of the Roman Catholic clergy as to the fear of the law. The experience of the representatives of large towns in England must tell them that the influence of the Roman Catholic clergy was more potent on the minds of their co-religionists than the fear of the law, and that it was by those who had shaken off that influence that those crimes of violence and brutality were committed, which so often disgraced the Irish name. He (Mr. Gregory) remembered well the words of a nobleman in his country—a strong Protestant, and a good Conservative to boot—but for whose judgment and wisdom he had more respect than for almost any other man in Ireland, and he had said to him, not once but repeatedly—"Rely on it that if the people slip out of the hands of their priests they will also slip out of yours." He (Mr. Gregory) had seen of late comments on the disloyalty of the National school teachers and of the traitorous doctrines instilled by them into the minds of the rising generation, and the Roman Catholic hierarchy were blamed for this. But what did they say? They replied that they had not the responsibility of the education of those who teach the youth of Ireland — that they were brought up in model schools, and away from religious influence; but that if you gave them the responsibility of educating the teachers of their flocks they would be answerable both for the amount and quality of the instruction. If, then, this denominational education were, as he believed it to be, the almost universal wish of 4,500,000 of the Irish people—if it were the wish also of a large portion of the Protestant clergy who had only ceased to clamour for it when the Roman Catholics asked for it, it was extraordinary that they should continue to force upon a country a mode of education disapproved of by the mass of the inhabitants. The right hon. Member for Stroud (Mr. Horsman) had made one sensible remark in his speech. He said one of our errors in governing Ireland was, that we governed it through English prejudices. With these words hot on his lips he turned round and rated the Roman Catholic clergy in Ireland—and for what? For asking you to do the same in Ireland as you did in England in dealing with education. The right hon. Gentleman, in order to prejudice the claims of the Roman Catholic clergy made statements of the most inaccurate description. He said—

> "The National system was met, at its foundation, by hostility both from the Protestant clergy and the Roman Catholic priests, who did all in their power to destroy it. . . . . The more the clergy and the priests declared against the schools the more did the children of the laity attend them."—[3 *Hansard*, cxc. 1463.]

Now, the National system was not met with hostility by the Roman Catholic clergy. The question was referred to Rome, and it declared that every Bishop might use his discretion. Archbishop Murray and Bishop Doyle both supported the system warmly and consistently. The opposition to it came from the Protestant clergy, who, almost to a man, denounced it. The demand for denominational education first came from them. No doubt the unfortunate passage in Archbishop Whately's Memoirs, in which he declared that the national system was always intended by him as an engine of conversion; no doubt the language of Archdeacon Stopford, Dean Kennedy, and of the Rev. Mr. Trench, declaring that, by means of the National system, the principles of the Reformation may be effectually instilled — no doubt all this has aroused the vigilance of the Roman Catholic clergy, and they have refused to allow their children to be educated by Protestant schoolmasters and by means of Protestant teaching? Were they to be blamed for that? They have in some particular instances opposed certain schools, but they were everywhere endeavouring to promote the education of their flocks. Out of 6,000 schools as the Home Secretary stated most fairly, 4,000 have Roman Catholic clergymen as managers or patrons. Then as to the Colleges the right hon. Gentleman (Mr. Horsman) was equally inaccurate. He says — "It was the Catholic laity who asked for the Queen's College." But academical education was asked for by the Roman Catholic Bishops as well as by the laity. What was given was not what was asked for, inasmuch as Mr. Wyse's scheme comprised not merely provincial Colleges but a Catholic University in Dublin, and the opening of Trinity College, both as regards Fellowships and government. It was not the case as stated by the right hon. Gentleman that Archbishop Cullen was sent from Rome expressly to destroy these Colleges. At the Synod of Thurles Archbishop Murray himself moved the adoption of the Pastoral which condemned them. He did not move that condemnation until a deputation of Roman Catholic Prelates had waited on the Lord Lieutenant, and had requested that certain modifications in the rules of the Colleges should be granted, and the request had been refused. It was not true that the condemnation of the Colleges was obtained by only one vote at the Synod of Thurles. They were condemned unanimously. The point which was decided by one vote was whether priests were to be forbidden, under pain of ecclesiastical censure, from taking any part in these Colleges. It was not true that the Roman Catholic hierarchy had refused the sacrament to those who attended these Colleges, or that they had excommunicated the Catholic students, as was stated by the right hon. Gentleman (Mr. Horsman). Many of the students and professors were communicants. The Roman Catholic hierarchy confined themselves to expressing their condemnation, as pastors of the Church, of the principles on which these institutions were founded. There were many more inaccuracies to which it was not necessary to refer; but it did seem strange that a Gentleman who had so complained of English prejudice, should have thus given such a signal instance of it, and should in a debate so conciliatory have added a fresh and just cause for resentment by a series of misrepresentations, which could have arisen from carelessness alone. Now, what were the Roman Catholic demands as regards primary education? In cases where the localities were too poor for denominational schools, and where the population was mixed, they asked to return to the old rule, and to have the children of a different faith excluded during religious instruction. But in districts where the schools were *de facto* denominational, they asked permission to have religious teaching introduced during the course of ordinary instruction; they asked that Catholic books may be employed in these schools, and those Catholic symbols which illustrate religious teaching. There were in Ireland 2,454 schools, with 373,756 children—all Catholics—not one Protestant. There were 2,485 schools in which were 321,000 Catholics, and only 24,000 Protestants. Surely in the first mentioned case, at least, the Roman Catholic patrons and managers might well be allowed to teach their own religion when and how they pleased. So much for primary education. They next asked that the schools in which the teachers of Catholic youth are taught should be denominational. They asked next, as regards academical education that you should do for Irish Roman Catholics what had been done for Roman Catholics at Sydney, at Melbourne, and in Canada. In every one of these demands they asked for nothing more than Protestant Prussia had done for the contentment of her Catholic subjects—and contentment had been the result. Then let them turn to the Church Establishment. What was the complaint there? The complaints of those opposed to the Establishment were these:—That religious endowments, originally intended for the use of the whole community, were now applied exclusively to the use of a small section of it; that the masses deprived of these emoluments were the poorest, while the minority in the enjoyment of them was the richest portion of the population; that the Bishops of this minority were Peers of Parliament performing legislative and even executive functions, whereas the Bishops of the majority were not allowed even to take the title of their sees. They said they looked on this as a great evil and injustice; as pains and penalties imposed on account of their religion, as a badge of conquest and ascendancy, as keeping up a constant sore and irritation in Ireland; and they asked you to place yourselves in the same position, and to reflect dispassionately if England, or Scotland, or the Colonies would tolerate a similar state of things. In reply to all this they are offered a fresh distribution of the emoluments, but that they shall be confined to the same recipients; and one of the pamphlets on this subject by an eminent divine, proposed in order infallibly to secure general contentment that they should increase the number of archdeacons. Here was another example of the influence of the principles of Bumble. He (Mr. Gregory) did not hesitate to say that his own wish would be to follow the example of the two best governed countries in Europe—France and Prussia. He would wish to build up rather than to destroy; he would wish to see every religion in Ireland placed on precisely the same footing as regards the State, and all impartially assisted. Had that been done sixty-eight years ago, much, if not all the misery and hatreds of Ireland would have been spared them, for he believed in his heart that religion was at the bottom of the whole of the disorganization of that country. If at the time of the Union the Roman Catholic, and the Protestant, and the Presbyterian, had been placed on precisely the same foundation, they would have been spared the conflict of Catholic Emancipation, the Tithe War, the Ecclesiastical Titles Act, and the present agitation against the Establishment. Endowment for all would have been his wish, and supremacy for none. Still he could not shut his eyes to the fact that the days of fresh endowments were past, and therefore it was needless to advocate what any one who knew the feelings of the age must be aware was impracticable. Let them, however, for a moment consider the position of the Statesman who should take in hand the settlement of this great question. He (Mr. Gregory) never yet heard anyone assert that the complete sweeping away of the Church would satisfy Roman Catholic disaffection. He never heard anyone deny that such a step would excite a deep and durable resentment among Protestants and Presbyterians, because with the Establishment would fall also the *Regium Donum*. He had before referred to the great Church Defence Meeting in Dublin. There were some good speeches made there and some very bad ones. Judging from the reports in the newspapers there were one or two arguments received with great applause. The first was that St. Patrick was a Protestant. Another argument much applauded was this:—that "Though to Cæsar we should render the things which were Cæsar's, we should take care how we dealt with these emoluments which were God's"—the speaker being evidently oblivious that 25 per cent of these emoluments of God's were very comfortably in his own and other landlords' pockets. A third argument, which was received with acclamation, was that the Church was a Missionary Church. He (Mr. Gregory) only alluded to these arguments to show how such a question as this was treated—

> "Non tali auxilio nec defensoribus istis
> Tempus eget."

The meeting itself, and the strength of Protestant and Presbyterian feeling on the subject, was the real argument. He could not deny that this was a formidable meeting—formidable from the station, wealth, character and influence of those who attended it, and of those who, though they held aloof, yet sympathized in its main object. As he (Mr. Gregory) said before there would be real danger to the safety and stability of the Empire if by a rash and ill-considered dealing with the Church Establishment they should add to Roman Catholic disaffection the deep and enduring resentment of both Protestant and Presbyterian. If there be added to the dissatisfaction of the masses the dissatisfaction of the upper and wealthier and more highly educated classes—without whose co-operation no revolution has been successful—they might rest assured that it would then be well for England to look about her. For that reason he (Mr. Gregory) hailed with pleasure the late speech of the hon. Member for Birmingham (Mr. Bright). It was the speech of a man who felt that in dealing with mens' feelings and pride and affections and prejudices there must be an appeal to something more than mere abstract principles—and that the settlement of such a great question as this must be a compromise. It would not do as a matter of policy—it would not be the act of a Statesman to sweep away at once endowments which have been enjoyed and relied on for many years—on the strength of which men had purchased and settled—and then to tell the Irish people, because the Maynooth Grant was at end, and the Protestant Establishment overthrown, and the *Regium Donum* swept away, that the great era of the Millennium and of perfect peace had at length arrived. In the well known novel of *Alton Locke*, a shrewd, sarcastic old Scotchman, Sandie Mackay by name, speaking of the levelling projects of certain philanthropists of his day, said—"It was verra like uniting o' men by first pulling off their claes, and telling them—'There! ye are all brithers noo on the one broad fundamental principle of want of breeks.'" [*Laughter.*] Now this great question cannot be settled on the fundamental principle of want of breeks. It must be settled, and would no doubt be settled when the new Parliament meets. If it were the will of the new Parliament to capitalize the revenues of the Irish Church and to dissociate it from the State; if along with the Irish Church the Grant to Maynooth and the *Regium Donum* were also to go, surely it would be a prudent course to conciliate the three parties so affected. Give to the Presbyterians a round sum which may be an equivalent to the annual sum now paid them by the State. Give to the Church of England a round sum also to enable them to set their house in order. Give to the Catholics a round sum to help them in the education of their priesthood, in the establishment of their University, and for the support of their diocesan schools. He would also be disposed to make a stipulation that a portion of this sum should be employed in providing a glebe and some acres of land for every rural parish priest. That was the proposal made by the hon. Member for Birmingham (Mr. Bright), in a letter written to Sir John Gray in 1852. It was a proposal he himself (Mr. Gregory) had always favourably entertained, emanating as it originally did, from Mr. O'Connell. Although the Roman Catholic hierarchy had condemned an endowment from the State, this proposal had never been condemned. The cost of carrying it out would not be more than the price of two iron-clad frigates, and such a measure would confer more security than a fleet of iron-clads. But in all this one thing was indispensable—namely, to give what they meant to give once for all, without stipulation or reservation. All pledges and stipulations would be peremptorily refused by the Roman Catholic clergy. They knew that by, in any way, involving themselves as stipendiaries they could not fail to lose their influence with their flocks, and he had already shown how unwise it would be to diminish that influence. He thought it would be wise and prudent on the part of Irish Protestants to consider well whether now was not the best time for a compromise. He, of course, could not object to meetings in defence of the Church; but he strongly deprecated the very violent and denunciatory language applied to Roman Catholics at these meetings. Surely that was not the right mode of defence. It only still more exasperated the adversaries of the Church and rendered a settlement still more difficult. At a late meeting at Limerick, the Rev. Mr. Wilson said—

> "The Established Church was to be given up in order to gratify the upholders of a system condemned and doomed by the predictions of the prophets and the grand visions of the Apocalypse."

He thought hon. Gentlemen opposite would do well not to reject the proposal of the hon. Member for Birmingham, because—judging from the experience of last year—the time might come when the Protestants of Ireland might find the hand of that Gentleman lighter upon them than the hand of the right hon. Member for Buckinghamshire. He would also express a hope that, if some compromise were being negotiated on this question, that it would not be resisted by hon. Gentlemen below the Gangway on his side of the House, and especially by the Scotch Members. Surely if they gained the disestablishment of the Established Church of Ireland, they would have gained enormously, as regards the principle for which they had always been contending. It must be a matter of comparative indifference to them whether a few thousands, more or less, were given to the different denominations in Ireland, if such a question as this could be amicably set at rest once and for ever. As regarded his own Church, no doubt there were seasons of difficulty before it; but there would be time to take measures, for no one had ventured to propose to interfere with existing interests. Calls, no doubt, would have to be made on the liberality of their co-religionists, but if they loved their Church as they claimed to love it, these calls would not be unheeded. Let them bear in mind what the Irish Roman Catholics, the poorest portion of the community, had contributed since the beginning of this century for religious and educational edifices—no less a sum than £5,500,000, and at the same time they have maintained their clergy. Even if this heavy blow were inflicted on the Established Church, it would not be without some good result. He was going to say what might be considered offensive, but the authority he would quote would be his absolution. He believed that in no part of civilized Europe was there less cordial co-operation between the clergy and laity than existed between the clergy and laity of the Established Church in Ireland. This was a serious thing to say, but his authority was not a layman's, but of an eminent Protestant divine. At a meeting held in Dublin in May, 1866, of the Spiritual Aid Society—formerly the Additional Curates' Fund Society—the Rev. W. C. Plunkett read a letter from the Dean of Cork, of which this was an extract—

> "The Society is the beginning of that great work which lies before the Irish Church in this generation—the provision by the laity of spiritual ministrations themselves. To this we must come ere long. For this the Irish lay Churchman is less prepared, less informed of his duty, less willing to do it, than the layman of any other Church or religious denomination in the world."

This taunt with respect to the laity was taken up by a fox-hunting baronet, who—on the occasion of a charitable sermon for the Additional Curates' Fund—being asked, as he held the plate for contributions, what was the object of them, replied, "It is to enable the parson to have two horses out instead of one, in a country where there are no foxes." If the laity had henceforth to take a part in the maintenance and selection of their clergy, there must spring up cordial and harmonious action between them, and as the Protestant laity wished to live at peace with their Catholic neighbours, they would discountenance those clerical firebrands, whose idea of preaching a gospel of peace and good-will, was to drive the people around them into madness by vilifying all they held dear and sacred in religion. This was his reply to those who had been arguing that a change in the Establishment would introduce a new and fanatical class of Protestant clergymen into Ireland. Now he would pass on to another act which his ideal Irish Parliament would instantly perform. No one could believe that it would allow one Session to elapse without obliterating from the statute book one of the most wantonly insulting, needless, and inoperative Acts which has been placed on it during this century—he referred to the Ecclesiastical Titles Act. The Roman Catholic hierarchy had told them in the most positive language that, by assuming territorial distinctions they arrogated to themselves no temporal jurisdiction, that they were actuated by no disrespect towards the Sovereign, that a territorial title they had always borne, that such a distinction was necessary for the proper execution of a variety of functions, and that they and their flocks looked on this Act of Parliament as an Act tyrannical, insulting, and unjust, and as such swelling the stream of Irish irritation against England. To this you replied, "We will endeavour to remedy any legal inconvenience, but we will retain the insult"—another instance of the influence of Bumble. Then, again, could anyone believe that the Irish Parliament which he had sketched, would not instantly vote an Address to Her Majesty, praying her to establish cordial diplomatic relations with the Holy See, unchecked by any reservations. If there was one thing which had always struck him (Mr. Gregory) as more pitiful than another, it was the attitude assumed by England towards the Pope. We were extremely friendly to him; he was most friendly to us; we had an unaccredited Envoy at his Court; we received letters from this Envoy, but we did not dare to publish them. This was a kind of hole-and-corner backstairs work, utterly contemptible and unworthy of such a country as this. He was convinced there never could be a thorough and complete understanding about the various religious questions affecting a large body of British subjects until this pitiful position was abandoned—that the Protestant religion of England was in jeopardy the moment a Papal Envoy set foot on Dover pier. There was one more matter to which he desired to refer, in speaking of the measure which he considered necessary for Ireland, and in doing so he hoped not to find himself in antagonism to the right hon. Member for South Lancashire (Mr. Gladstone). That Gentleman had deprecated attempting to deal with Ireland by administering "small doses" of public money. If that was to be the only mode of dealing with Ireland, he cordially agreed with the right hon. Gentleman; but if by that he meant that there should be no endeavour to promote the material prosperity of the country, and that Ireland should be left entirely to private enterprize, he altogether disagreed with him. They should bear in mind that, in comparison with Scotland and England, Ireland was a poor and backward country. That she was poor and backward was partly caused by the absence of mineral wealth, partly by the insecurity, the result of religious animosity, and partly by the former jealousy of England, which had crushed the germs of many Irish manufactures. These things had, no doubt, passed away, but the evil effects remained, and poverty and depression were the result. The Irish alleged that it was impossible for them to avail themselves of the resources of private enterprize as they did in England and Scotland; that it would be like calling on a fourth-form boy at Eton or Harrow to do the work of a sixth-form boy;—that it was like a huge man in the street dragging a small child after him, and expecting him to go the same pace as himself. They therefore demand assistance to promote the industrial resources of their country. He would take one or two instances. The purchase of Irish railroads by the State would be one which would procure the advantages of cheap travelling and increased accommodation. He feared the Government proposal would be more favourable to shareholders than to the public. The drainage of the Shannon and its tributaries was another measure. That was clearly an Imperial measure, and was so treated and acknowledged by the late Irish Chief Secretary; yet here, year after year, memorials and protests were showered in upon the Government, showing the incalculable damage done to land and climate by the overflowings of a river which washed ten counties, and yet nothing was done because the lands of some proprietors might be benefited, and because the amount of that benefit would not re-pay the outlay. Did they think an Irish Parliament would leave such a scandal as this unremedied for a single Session? Again, in dealing with the institutions of Dublin—scientific and artistic—he would advocate the greatest liberality. It was wise and politic to attract to the metropolis of Ireland the literary, artistic, and scientific talent of the country. It was wise and politic that from this national centre should emanate institutions to awaken artistic taste and evoke the scientific aptitude of the Irish people. Other instances he could give, but he hoped neither the present nor the late Chancellor of the Exchequer would differ with him as to these, and consider assistance to such undertakings as mere useless doles of public money. He (Mr. Gregory) had now concluded his suggestions without any expectation that they would be adopted, either wholly or in part, by the present Parliament. He believed the new Parliament would take a broader view of the state of Ireland than the present one, and would endeavour to deal with it not by mere doses of infinitesimal measures reluctantly extorted and thanklessly received. Hitherto they had far too much resembled their Saxon forefather Athelstane the Unready. "Too late! too late!" had been the reply from Ireland to almost every proposal. That which would have been gladly received a few years before as a settlement was now refused, from the increase of irritation, caused by disappointed hopes and unnecessary delays. It would be far better to do nothing this Session than to nibble at these questions. Let them discuss them all, make up their minds, and let the future constituencies see what they will be called upon to sanction or refuse. Let the Government of the day be what it may—Whig or Tory—let it lay before the House a full plan of dealing with these measures. That would be a thorough and complete message of peace to Ireland, and rely on it it would be thankfully received if the people of Ireland saw there was in it something more than hustings promises and appeals. He knew it would be sanguine to foretell that any measures could be passed which would enable Her Majesty in 1870 to congratulate her Parliament that the storms which had so long lowered over Ireland had passed away, and that the winter of her discontent had been made glorious summer. The suspicions and passions of centuries were not so easily abated; but he did believe that if they took these measures to heart, and dealt with them in the spirit with which other countries had dealt with them, that they would then be really giving effect to that prayer which they put up every Seventh Day for the unity, peace, and concord of the realm; but that if they could not bring themselves to this—if old inveterate prejudices were still too strong—then that prayer was but a mockery, a string of words—words only of the lip, mere sounds without significance or meaning.

Mr. CONOLLY said, he thought it right, before criticizing the policy of the noble Lord the Chief Secretary with regard to the future, to acknowledge what he had done in the past. He must pay the humble tribute of his admiration to the noble Lord who, by his energy and sagacity, had been enabled to put down a conspiracy which endangered both life and property. The noble Lord also deserved gratitude for the great humanity and discretion with which he had applied in Ireland the extraordinary powers with which he had been invested by Parliament. He (Mr. Conolly) must say that the way in which this debate had been handled had filled him—for the first time since he had had the honour of a seat in that House—with large hopes that, though not perhaps at this moment—not, perhaps, as the hon. Member for Birmingham (Mr. John Bright) said, on a very immediate occasion, yet before long—the British Parliament, having really and anxiously turned their attention to the affairs of Ireland, would keep the question steadily and zealously in view until they arrived at a solution worthy of the subject, and one which would insure harmony and union among all classes in that country. He took heart from the manner in which they had been addressed by some of the most eminent Members of the House—by the right hon. Member for Calne (Mr. Lowe), by the hon. Member for Birmingham (Mr. John Bright), and particularly by the right hon. Member for Louth (Mr. Chichester Fortescue). Not only had they bestowed great care and attention on the subject, but a great many of the extreme views which were expressed on previous occasions, not very long ago, seem to have been toned down by a calmer and wiser consideration of the requirements of the country. It was matter for hope that the crotchets of many of those who might be considered foremost in their ranks had been demolished. He alluded more particularly to the scheme propounded by the hon. Member for Westminster (Mr. Stuart Mill), whom all acknowledged to be a great ornament to the House, although his scheme on this subject certainly seemed by no means sound. That scheme had been exposed with considerable severity by friends as well as foes, and he thought he might now say it had vanished, leaving "not a wrack behind." He was also encouraged to hope by the attitude assumed with regard to the land question by the right hon. Gentleman the Member for Louth, who was at one time foremost in the van of what was called the tenant-right movement, but now appeared to have very much modified his opinions. The right hon. Gentleman was no longer anxious to eliminate the landlord in the discussion of the land question. Dark indeed must have been the prospects of Ireland when it was proposed to deal with the land by eliminating the landlords. But such had been the character of that Bill which he had offered to the House, and which was defended with great talent and ingenuity, but with multitudinous fallacies, by the ex-Attorney General for Ireland (Mr. Lawson); and it was a happy thing for Ireland that that Bill would never again be laid on the table, but would be relegated to the oblivion which it deserved. He was bound to say the policy recommended by the noble Lord was nearly as bad as that of the right hon. Gentleman the Member for Louth. The noble Lord must therefore make up his mind to the same amount of opposition which last year prevented the right hon. Gentleman's Bill being read a second time. The settlement of the land question occupied the first place in the hopes and aspirations of the people of Ireland. But, when the right hon. Gentleman talked of eliminating the landlord from the consideration of this question, that was precisely the objection to the Bill both of the right hon. Gentleman and the noble Lord. What was it but eliminating the landlord to lend the money of the State to tenants at will on the security of the land without the landlord's consent? What was it but eliminating the landlord to propose that money should be lent to tenants for the purpose of making alterations, whether in the way of improvements or otherwise, on the proprietor's land without his consent? What tenants really looked to was security—first, that they would not be unreasonably dispossessed, and secondly, that their rents would not be unreasonably raised—that improvement by the tenant would not be immediately followed by increased rent. There was a vast deal that required regulation with reference to the land in Ireland. It was no part of the business of country gentlemen to devise measures to extricate Ministers of the Crown from the difficulties of their position. Their business, if they sat on the Opposition Benches, appeared to be, according to the hon. Member for Cork (Mr. Maguire) to make the question to be settled as difficult as possible, and, if they sat upon the Ministerial Benches, to keep the Government in their places. Behind the question of land there lay the far greater question of the Irish Church. He must say that the present debate on the Church promised to be not unproductive of good. The hon. Member for Birmingham, in his most admirable speech, expressed his opinion that this question must be discussed with patience, consideration, and in a just and generous spirit. The hon. Member said such questions might be thirty times discussed before a practical issue could be expected. The debating power of the House had been exercised upon the Reform Bill, and he (Mr. Conolly) hoped the same patience would be bestowed upon the Irish Church. He trusted the question would be taken up in a practical spirit, because that was absolutely necessary; but he also hoped it would be considered with wisdom, calmness, and above all things in the spirit of justice. For himself and the strongly Protestant constituency which he represented, he should not object to any scheme that might result from a wise, calm, and just consideration of the subject. It was in vain to deny that the question of the Irish Church was at the bottom of the present difficulty; but no one had at the present time propounded an adequate remedy. An ex-Minister of the Crown, who had devoted years of study to the subject, had published a pamphlet which he must say offered a very inadequate solution of the question, and other plans which had been proposed had been characterized by immaturity rather than by wisdom and statesmanship. He trusted that the House would enter upon this subject with great calmness, deliberation, and patience; that they would not force on a hasty conclusion; above all, that there would not be a sweeping measure, but let justice be done *ruat cœlum.* The right hon. Member for Calne—who was sound enough on many questions—though he was not equal to the Reform question, was totally mistaken on this question of the Irish Church. In his (Mr. Conolly's) opinion there could be nothing more vulgar, less considerate, or less statesmanlike, than to apply a sweeping measure to an institution of such historical antecedents and so deeply rooted socially as the Irish Church. It was impossible to over-rate the evil of dealing with this question in a hasty and precipitate manner.

MR. W. H. GLADSTONE said, he must apologize to the House for venturing to offer a few remarks upon so arduous a subject as the state of Ireland. He had heard some hon. Members on the other side of the House advocate the policy of "letting well alone." Now, he was anxious to state his conviction that the circumstances of that country not only required remedial legislation, but legislation of a broader and more decisive character than had hitherto been proposed. The House knew that the Habeas Corpus Act was now suspended for the third year, and what prospect was there that matters would be improved by the end of another year? Fenianism had for a time subsided; but there had been lulls before, and it had afterwards broken out afresh. Besides Fenianism, there was that great discontent which both the Lord-Lieutenant and the Chief Secretary for Ireland admitted to exist. He should not fall into the error of confounding Fenianism and the discontent in question, but there must be some connection between the two; for he could not understand how Fenianism could prosper as it had done, and how it could have crept into places where it might be least expected, if it had not found the soil of Ireland congenial to its growth. He could not join in the opinion of those who regarded Fenianism as nothing but a wild, extraneous movement, got up solely by the disbanded soldiers of America, because it was shown that it met in Ireland with a general though subdued and concealed sympathy. He agreed with the right hon. Member for Limerick (Mr. Monsell) that Fenianism was not the most dangerous thing with which they had to deal. That was the subdued and smouldering discontent that so largely existed. If they got rid of Fenianism, there would still be the discontent; but if they got rid of the discontent they would cut away the roots of Fenianism. So long, however, as that discontent existed it was almost useless to bring forward statistics, as the noble Lord had done, to show the prosperity of Ireland, because it was an axiom in politics that contentment must precede prosperity. The only thing for Parliament to do was to make up its mind as to the causes of Irish discontent, and then do its best to remove them. Some hon. Members referred to emigration as the source of hope for Ireland. No doubt emigration had in some respects been beneficial. It had relieved the land of its surplus population, and had partially raised the rate of wages. But could any hon. Member look upon the great and enormous emigration of hundreds of thousands of the population of Ireland—100,000 in one year—and consider it as a healthy symptom? An hon. Member, the other night—he believed it was the hon. Member for Londonderry, Sir Frederick William Heygate—said the House must remember that there had been emigration from England also, but there was absolutely no comparison between the two things. He had been looking back at the statistical tables for 1864, and he found that the emigration from Ireland, with a population of 5,500,000, was nearly double the emigration from England, with a population of 20,000,000. Was it true that emigration had rendered the people of Ireland one bit more happy and contented? He feared it had not done so. He even doubted whether it had improved the condition of the labouring population. In 1849 the acreage devoted to the cultivation of the potato was 718,000, whereas in 1866 they amounted to upwards of 1,000,000, which clearly showed that the great evil of dependence upon one single crop had been left untouched by emigration. The truth was, that the causes of Irish discontent lay too deep to be reached by any good to be derived from emigration. That discontent resulted from what he must call the illiberal policy we had pursued towards the Irish people in general as regarded the land laws, and to the Roman Catholics in particular as regarded the ecclesiastical laws. From inquiries he had made in Ireland, he found that the tenant-farmers were invariably deeply sensible of the inadequacy of the present law of landlord and tenant as regarded compensation for improvements. The House ought not to be diverted from the full consideration of this matter by the fact that the law was the same in Ireland as in England, for the inequity of that law was in England over-ridden by general custom. As a rule, its operation was completely nullified by the practice of the landlords executing their own improvements. In Ireland it was otherwise. There it was the tenant, and not the landlord, who made the improvements; and it was but just that if he invested his money in improving the land he held he ought to have some security that he will reap some advantage from his expenditure. The existing state of things in Ireland had been admitted to be unjust for a long time, but, notwithstanding the general concurrence of opinion upon this point, nothing had been done towards improving the tenant's condition. The great delay that had occurred in rendering common justice to the Irish tenants had brought them to such a condition that they would not be satisfied with any moderate measures; and had led to those schemes, of which so much had been heard lately, for creating a peasant proprietary—schemes which were of at least a desperate character, and as to which it was so doubtful whether the effect would be good or evil, that he did not see that we should be justified in making so rash an experiment as to give them a trial. He thought the Government were entitled to much credit for the intention which they had expressed to re-introduce their Compensation Bill of last Session, although he was afraid that it would not be effectual to accomplish all the legislation that was necessary on this subject. Would it not be extremely desirable to limit and discourage that which existed under the name of "tenant-right," under which a new tenant was compelled to pay large indefinite sums to the outgoing tenant? The other night the hon. Member for Lambeth (Mr. T. Hughes) argued strongly in favour of recognizing tenant-right by law, but all he (Mr. W. H. Gladstone) had read upon the subject led him to a somewhat different conclusion; and on the whole he believed that the disadvantages of the custom preponderated over its advantages, and that it would be better if the Legislature were, instead of recognizing the custom, to reduce it within moderate limits. The best course to pursue would be to pass a liberal Compensation Bill, giving to the tenant a fair amount of compensation for any improvements he might effect, and making good to him the loss he would sustain by the abolition of tenant-right. Let them look at the inequality of that custom. In some parts of Ireland the tenant was so much at the mercy of his landlord that he might be turned out of the cabin he had built without a farthing in the way of compensation. But in other parts of the country the custom of tenant-right was so strong, that if the landlord wanted to take the property in his own hands he must pay a large sum down as compensation to the tenant. Any legislation with regard to this custom, therefore, should be directed to render the operation of it equal all over the country. He was aware that legislation had hitherto failed to encourage tenants to make improvements, but the reason of that was not difficult to find. The principle hitherto sought to be established was that if the tenant made improvements he should be entitled to recover his outlay with interest. Was it not desirable to go a step further? The tenants of Ireland were not, as a class, of an enterprizing character, and, therefore, in all future legislation upon the land question they should be encouraged to effect improvements by giving them a share in the profits arising out of all paying improvements. Upon the other great branch of the question—that of the Irish Church—he deeply regretted that the Government had not announced a definite policy, feeling, as he did, that it was of immense importance that that House should lose no time in declaring itself clearly and distinctly in favour of the great principle of ecclesiastical equality. It was said that if Parliament lent themselves to the disestablishment of the Irish Establishment they would be dealing a blow at that of this country. The cases of the Establishments were, however, totally distinct. They knew from the words of the Prime Minister himself that in Ireland the Established Church was an "alien" Church, whereas in England the Church was in harmony with the instincts of the people. The Irish Church was a source of weakness and of discredit to that of this country, and he wished that the latter should be judged upon its own merits, without the Irish Church being tied, like a millstone, round its neck. It was impossible for Ireland to prosper, unless there were a good understanding between the Protestant Government of this country and the Roman Catholic population of Ireland, and how could that good understanding be attained as long as we persisted in maintaining the Church, not of the nation but of the rich, who were few and able to take care of themselves, while we ignored that of the poor who were the many? He could only look at the Established Church of Ireland as an insult to every Roman Catholic, and as a powerful means of keeping up those religious dissensions to which that country had been so long a prey. On the subject of education he thought the proposal of the Government had scarcely received justice in the course of the debate. He congratulated the Government upon that proposal, because it showed a real desire to make some progress in the question; but whether it was a progress in the right direction was another matter. He should have been better pleased had the Government seen their way to carry out the alternative scheme to which the noble Lord the Chief Secretary alluded the other evening — a comprehensive scheme — for the fusion of the educational establishments of Ireland into one common University. But he had no sympathy with those who would refuse all concessions to Roman Catholics in this matter. As long as there existed a purely denominational University at Dublin he thought we should do something to aid the genuine efforts of the Roman Catholics to establish a University of their own. In conclusion, he must state that he should be slow to abandon the hope that we might yet effect the reconciliation of Ireland by a series of wise, liberal, and equitable measures, and he believed that the character of the people of the country was rather in our favour than against us. He had been among them, and the impression left upon his mind was that a people more loyal at heart, more tractable, and more amenable to good government did not exist. And surely these were circumstances which might encourage the hope that if Parliament were honestly resolved upon effecting a reconciliation with Ireland, and incorporating it with this country, not in name only, but in fact, it would find no insuperable obstacles in accomplishing that happy end.

MR. DE LA POER said, it appeared to him that if any Church was established by law it ought to be the national Church —the Church of the people. Now, the Irish Church was not the Church of the people, and had most singularly failed in the object for which it was established. Right and justice, the enlightened and liberal of all denominations, demanded its disendowment, and it was a disgrace to liberal and enlightened England to continue to support a Church established by the sword and maintained against the wishes of the people. The Roman Catholics did not seek for domination but for equality. The only way to give general satisfaction was to place all religious bodies on the same footing.

MR. BRUEN said, it was satisfactory to him to have heard the testimony borne by the right hon. Gentleman the Member for Calne (Mr. Lowe) to the fact that, in all the investigations of the land question, no well-founded case of injustice had ever been brought against an Irish landlord. The hon. Member for Westminster (Mr. Stuart Mill) had made a sharp attack on the conduct of the Marquess of Conyngham, but it had been clearly proved in "another place" by Viscount Lifford that the reflections passed on that Nobleman were entirely unwarranted. Last week, too, the hon. Member for Cork (Mr. Maguire) made charges of a similar character against the late Mr. Carden, a Tipperary landlord; but the brother of the deceased gentleman had shown, in a letter which had appeared in that morning's papers, that three of the tenants who were alleged to have been driven across the Atlantic were permanently settled in their old farms, while several others, who had occupied a few acres of land, had only themselves to blame for refusing the liberal terms offered them. He concurred with the noble Lord the Member for Tyrone (Lord Claud Hamilton) in deprecating allusions to past times; for if it was right to forbid the commemoration of certain events by Irish Protestants, fairness required that hon. Gentlemen opposite should not for their own party purposes invoke the speeches of bloody days long passed. In considering the state of Ireland it was present legislation they had to bear in mind. The House was asked to make changes in the law of landlord and tenant. When the Bill of the noble Lord the Secretary for Ireland came before the House it would be fully discussed; but the schemes put forward by the hon. Member for Westminster (Mr. Stuart Mill) and the hon. Member for Birmingham (Mr. John Bright) amounted to fixity of tenure, and would lead to all the evils of overcrowding. He could not believe that such a change would be conducive to contentment. It would not benefit the labourers, but would rather have the effect of driving them to emigration. With regard to the occupiers, would fixity of tenure produce prosperity and contentment? So long as they continued to increase and multiply, as they were doing at present, he could not believe that there would be a less demand for land, and as long as that demand continued, the discontent which now existed would continue. Fixity of tenure really meant fixity of rent, or, in other words, debarring the landlord from profiting by the increased value of his property. Admitting that discontent prevailed among the labouring population, he did not believe it existed among the occupiers of land; for, judging from the assurances of those in his own district, they were contented, and the evidence of his own eyes satisfied him that they were prosperous. The large amount (£20,000,000) invested in savings banks was an indication of prosperity, and the magnificent sum contributed by the Roman Catholics for the support of their Church, estimated by the *Freeman's Journal* at £762,000 per annum, was not consistent with the oppression and degradation under which they were alleged to labour. In his district he was happy to say that the landlords had made all the improvements which had been effected in building and draining. The only security which could be given to the tenant was the security, therefore, which would result from the respect, the friendship, and the good offices existing between the landlord and tenant—a security which he was glad to say existed in his district, and which could not be given by means of any law. With respect to the question of the Established Church, he contended that its members could neither be alluded to as belonging to an alien Church nor to the Church of the landlords. If he was an alien in Ireland because he was a Protestant, and an alien in England because he was an Irishman, he should feel in a very unpleasant position, and would take the first opportunity of putting a question to the Attorney General to know what his rights were, or whether he had any rights, and, if not, whether such religious disabilities should be allowed to continue. By the Act of Union the two countries were united, and the Established Church was made the Church of the nation. To discuss any grievance arising or supposed to arise from the existence of a so-called Church of the minority was, therefore, to deal with a question raised on a false issue; for the real principle under discussion was that of a voluntary system as opposed to that of a State Church. He regarded the proposal made by his noble Friend the Chief Secretary for Ireland as an endeavour to meet the wishes of the Roman Catholic portion of the population in Ireland in a practical and statesmanlike manner. He did not believe that the right hon. Gentleman the Member for Stroud (Mr. Horsman), or the right hon. Gentleman the Member for Calne (Mr. Lowe), could claim to speak on behalf of the Roman Catholic laity in Ireland. If the proposition of his noble Friend with regard to a University was not pleasing to the Roman Catholic laity the case was over. They had their mouthpieces in that House, and it would be well if those Gentlemen would speak out manfully. It should be remembered that the University to which the Government proposed to give this charter was to be auxiliary and not antagonistic to the other Universities, the advantages of which many of his fellow-countrymen were unable, from conscientious scruples, at present to avail themselves.

VISCOUNT CASTLEROSSE confessed to a feeling of disappointment at finding, after all the expectations held out by the Government on the Irish question, that they possessed no policy at all. He could not regard the proposal of the noble Lord the Chief Secretary, to found a Catholic

University, as serious; because the noble Lord must have felt there was not the remotest chance of carrying such a proposition. It was urged in a published *Statement on the University Question*, by the Most Rev. Dr. Leahy, Archbishop of Cashel, and the Right Rev. Dr. Derry, Bishop of Clonfert, addressed to the Catholic Members of Parliament—

> "That though the State might endow a new Catholic University, the weight of reason was in favour of endowing the existing Catholic University."

In the same pamphlet also occurred the following passage:—

> "We speak of a charter and endowment, because one without the other would be of little value, and would leave the Catholics of Ireland in the position of unjust inequality of which they have so much reason to complain. When Trinity College, besides its subsidiary Protestant schools, has, in round numbers, its 200,000 acres and its £100,000 per annum, and when the Queen's Colleges, besides the £200,000 expended on buildings, &c., are subsidized to the amount of £26,000 a year, surely the Catholics of Ireland have a right to a chartered and suitably endowed Catholic University."

Would the noble Lord come down and propose an endowment for the Catholic University? [Several hon. MEMBERS: So he does.] If he did not the Government proposal was likely to be rejected. [An hon. MEMBER: But he did.] Did he? Then that was the true remedial proposition. On the subject of the land, they were promised a Commission, but he could not see that the question would in any way benefit by the inquiry suggested. As an Irish landlord he was most anxious for the speedy settlement of this question. He was desirous to secure for the Irish tenant that protection and that security to which he was by every principle of justice entitled; but he could not help regarding this proposed Commission simply as an excuse for delay. There had been a Royal Commission appointed to inquire into the Church, but that Commission had nothing to do with the question which the House had now to consider. Her Majesty's Government had declared, by the lips of the Chief Secretary for Ireland, that they did not consider the Protestant Church Establishment in Ireland to be any injustice to the people. What the Irish people demanded was the disestablishment of the Irish Church, and that demand did not come from one section of the people only, but emanated from the whole Catholic laity of Ireland without exception. As a proof of that fact, he might refer to the following Declaration which had been numerously and influentially signed, and at the head of which was the venerated name of the Earl of Fingall:—

> "We, the undersigned Irish Catholic laymen, deem it our duty to contradict publicly the assertion that we do not feel aggrieved by the present Ecclesiastical Settlement of Ireland. We feel with reference to that settlement as our Protestant fellow-countrymen in England, Ireland, and Scotland would feel if they were subjected to a like injustice. The dignity of the religion and of the people of Ireland demands religious equality; and we are convinced that, without religious equality, there cannot be generated and secured that respect for law, and those relations of mutual good-will, which constitute the true foundation for national prosperity."

What they asked was religious equality, entire religious equality, and they would be content with nothing less.

MR. SYNAN said, it clearly appeared that Her Majesty's Government had not realized to themselves the present condition of Ireland, nor risen to the level of a policy such as was really required to settle the Irish difficulty. Of course, in the embarrassing circumstances in which they were placed — afraid, as the noble Lord the Secretary for Foreign Affairs had said in another place, lest they should alienate their supporters, without gaining in any way the support of their opponents—they were naturally apprehensive of making enemies. That might be an excuse for the failure of their policy; but it was certainly no excuse for enlightened and independent Statesmen and orators in that House to treat the question in a spirit more likely to exasperate the whole Irish people than to conciliate even a section. He only hoped that, as the speeches of the hon. Member for Calne (Mr. Lowe) not long since against the working men of England had led to household suffrage, the right hon. Gentleman's provoking words against the people of Ireland might be the means of obtaining that which they had been unable to obtain by conciliatory means. The right hon. Gentleman described the Fenians as invaders of Ireland; but those were curious invaders who were received with silent recognition and almost with open arms by the people. What stronger proof could they have of the spirit which prevailed among the Irish people than the language used by one of the prelates most attached to the Union with this country, who said that if the Grand Turk landed in Ireland with an army they would fly to welcome him? The right hon. Gentleman seemed to recommend the extension to

Ireland of the Assessed Taxes. He (Mr. Synan) had been astonished to hear the right hon. Baronet the Secretary of State for India assert that Ireland benefited at the expense of England, and was not taxed in her full proportion. The right hon. Baronet was Chairman of the Committee on Irish Taxation, and the Report of that Committee, signed by the right hon. Baronet, stated that the property of Ireland compared with that of England was as one to two, whilst its taxation was as two to one. How, then, could it be said that Ireland did not pay her full proportion of taxation? But the right hon. Gentleman went on to say that Ireland had no grievance but that of dangerous friends. He knew no friend more dangerous than one who rose in his place and used the language of the right hon. Gentleman; and he knew no greater danger that could occur than the destruction of the confidence which Ireland might be disposed to place in the justice and generosity of the policy to be pursued towards her by England. The speech of the noble Lord the Chief Secretary consisted of two parts wholly inconsistent with each other—first, he argued that Ireland was advancing so happily in industrial progress that no legislative remedies were necessary, and then he proceeded to declare a policy for the treatment of Ireland's difficulties—a policy which, however, might be described as "the way not to do it." It was a policy of negation utterly unworthy of the Government or of that House. The argument of the noble Lord to show that Ireland was prosperous embraced six points—agricultural statistics, increase of rental, increase of wages, increase of the deposits in joint-stock banks, increase of exports and imports, and increase of the consumption of whisky. Though the noble Lord's statistics might be, to a certain extent, correct, the arguments he founded on them were very fallacious. As to agricultural statistics, the noble Lord compared 1841 with 1851, and 1851 with 1861; but he ought to have investigated his authorities, and not have relied on any agricultural statistics referring to Ireland which dated before the establishment of the office for that purpose in 1852. Before that year they were not worth the paper on which they were printed. It was quite enough for any useful purpose to begin with 1861; and he would now examine whether Ireland had been advancing in prosperity since that date. In 1862, he found that the decrease in cereals was 144,666 acres; in green crops, 32,115 acres; and in live stock, 382,053 head. In 1863, the decrease in cereals was 122,437 acres; in green crops, 2,317 acres; in live stock, 85,439 head. In 1864, the decrease in cereals was 72,450 acres; in flax, 50,159 acres; whilst in live stock there was a small increase. In 1865, the decrease in cereals was 40,211 acres; in green crops, 222,122 acres; in horses, 12,708 head. In 1866 there was a decrease in cereals of 69,307 acres, in flax of 10,402 acres, in green crops of 67,866 acres, and in live stock of 320,611 head. The only increase was in sheep, and every Irish farmer knew they had become such a drug in Ireland that the sheep graziers were completely bankrupt. The average produce of wheat had decreased by one-seventh, being only four barrels of twenty stone per acre. It was therefore impossible to prove the prosperity of Ireland if the argument rested upon agricultural statistics. As to the argument founded on the increase of rental, that was utterly fallacious. He admitted that the rental of land had been quadrupled, quintupled, and in some instances raised even tenfold. But why was this? The rental had increased by reason of the tenants' improvements. He asked those who spoke of confiscation, if that was not a strong and invincible argument to show the necessity of fixity of tenure? A pamphlet had lately been published by Mr. Marcus Keane, a landed proprietor in Clare, and agent for very extensive property in that county—much of it held by absentee landlords. This gentleman—than whom there could not be a more intelligent or better-informed witness—stated that the rentals were steadily following the improvements of the tenants, and in some counties they had increased even more than tenfold. Could there be anything more conclusive than this as establishing the necessity of a measure to define and regulate the relations between landlord and tenant? If such a state of things existed in England, would those who represented the tenant-farmers of this country allow it to continue? It was folly to wish to force the agricultural laws and customs of England upon Ireland, a country totally different. The next argument used by the noble Lord was the increase of wages. He admitted that that would be evidence of industrial progress, if it were not distinctly traceable to another cause. Wages in Ireland had risen in consequence of the decrease of population caused by emigration. They had risen, not because the demand for labour had increased, but because the supply had decreased. Bring back the 2,000,000 of persons who had emigrated within a recent period, and the condition of the labourer would be as miserable now as it was in 1825. If the wages of labourers in Ireland were increased to the average of the wages in England, their payment would absorb the whole means of the country. The next evidence of Ireland's prosperity, according to the noble Lord, was to be found in the deposits in joint-stock banks. Admitting that there had been an increase since 1864 he (Mr. Synan) thought that the absorption of funds from the purposes of agriculture into the coffers of banks a very bad sign of agricultural prosperity, and one which showed the necessity for legislation. The result of the present system of land tenure was to cause men making money on farms to deposit their savings in joint-stock banks, instead of in making improvements on the land. Another argument used by the noble Lord in support of his theory that Ireland was prosperous, was that the imports and exports of Dublin had increased of late years. But what was the character of these exports and imports, and how did these changes affect the trade of other parts and the condition of the country generally? No explanation had been given on these points. The noble Lord did not mention the fact that the emigration from the province of Ulster in 1866 exceeded that of 1865 by no less than 6,000. With regard to the figures quoted by the noble Lord as to the consumption of whisky, he (Mr. Synan) denied that the increase in that consumption was an evidence of increased national prosperity. But accurate tables showed that there had not been an increase, and on moral grounds he rejoiced at the fact. Not only had there been a decrease in the consumption, but the manufacture had been diminished by one-half. In 1846 there were fifty-four distilleries at work, and 7,952,076 gallons were consumed; in 1864 there were only twenty-five distilleries, and the consumption had fallen to 4,000,000 gallons. Again, it had been said, both by the noble Lord and also by the right hon. Member for Calne (Mr. Lowe), that Fenianism was of so despicable a character that it required no means of repression, and that the suspension of the Irish Constitution was not directed against the Irish people, but against what were called the American invaders, who had come to attack the Irish people. But this was the third time since the Union that the Habeas Corpus Act had been suspended, and out of the sixty-eight years which had elapsed since that Union, twenty years had passed under a suspension of national liberties. If the Irish people themselves had not inspired fear in their rulers, why had the Constitution been suspended when Fenianism had no existence? As to the policy announced by the Government, he admitted that with respect to primary education there was nothing practically to complain of; for that education, as it existed in Ireland, was in harmony with the feelings and sentiments of the people; but there was serious cause of complaint with regard to intermediate education, on which subject the noble Lord had not touched. Of the two plans proposed for University education, he thought that of the Government the worse. The Government policy was not a *bonâ fide* one; it was adopted not for the purpose of conciliating the Roman Catholics, but of propping up Trinity College. The policy of the Government with regard to the Church was simply one of procrastination. What had the inquiry of the Commission to do with the question of disendowment or endowment? The question now lay between religious equality on the one side and ascendancy upon the other. The penal laws had been repealed, and the Roman Catholics admitted to the enjoyment of civil privileges, and the time had now come when the Protestant Church must be disendowed. The spirit of the Roman Catholic people would be content with nothing less. He protested against a Commission upon the land question as a mere sham which could only lead to animosity between landlords and tenants. It would be wise to advance money for the purpose of improving the agriculture of Ireland; but would the occupiers of land be likely to apply for loans of money while they were at the caprice of the landlords? If he had to choose between the propositions of the hon. Member for Westminster (Mr. Stuart Mill), and the hon. Member for Birmingham (Mr. John Bright), he would give the preference to the plan of the latter Gentleman; but if it could not be carried out he was in favour of long leases. Long leases with clauses against sub-letting would be for the benefit of the landlord as well as of the tenant. A bold and liberal policy towards Ireland was necessary for the interests of the Empire at large. If they sacrificed the interests of the Empire to those of party they would never legislate in a proper spirit for Ireland.

MR. KENDALL, as an independent Member, and a man who had never said an unkind word against the sister country, wished to say a few words. He never detained the House long when he said he would be short, and he claimed the further merit of always saying what he meant. The right hon. Gentleman the Member for Stroud (Mr. Horsman) laid an indictment against the Government, in which there were three charges—first, that as regarded education their policy was one of reaction; next, that their policy was one of inaction as regarded the Church ; and lastly, that it was an inadequate one as regarded the land. Now, what had been the action of past Governments in respect of education in Ireland? To make that education as far as possible secular. He granted that the progress of education in that country had been rapid; but it was based on a system which was carried on against the wishes of almost every pious Roman Catholic, and of most of the intelligent and pious Protestants. He was not a Roman Catholic, but he respected Roman Catholics, and the more religious they were the more he respected them. He thought, then, that every deference should be paid to the wishes of the Roman Catholics of Ireland, when they desired to have their children trained up in the religion which they believed to be the best one. With regard to education, therefore, he thought reaction would be justifiable. Then as to the Established Church, he asked right hon. Gentlemen opposite with what political consistency could they call upon the Government for immediate action? Those right hon. Gentlemen had for years been Members of Governments who, at the commencement of Sessions, proposed no measures to deal with the Established Church, but now at the end of a Session, and pending the inquiry of a Commission, they asked the present Government to at once propose legislation on the subject. With the measures now before the House there would not be time during the present Session to discuss this question or that of the land in detail, besides which it should be remembered that a new Parliament would shortly be elected under the Reform Act of last Session. We had heard so much of philosophy in this discussion that it was somewhat difficult to descend to common sense ; but he appealed to every man of business in the House whether procrastination and inquiry were not advisable when it was seen that even statistics with regard to the state of Ireland brought forward by the noble Earl the Secretary for Ireland, and the correctness of which had been admitted by the hon. Member for Galway (Mr. Gregory), had nevertheless been called in question by the hon. Member for Limerick (Mr. Synan). He thought he had now disposed of the three points. With regard to the speech of the right hon. Gentleman the Member for Calne (Mr. Lowe), he must say he agreed with the whole of it except the part relating to the Irish Church. The right hon. Gentleman had insisted that the Houses of Parliament were the trustees of the property of that Church; but it ought also to be borne in mind that there were honest and dishonest trustees, and that Parliament was bound to act as a good and honest trustee, and to see that justice was done in this matter. The speech of the hon. Member for Birmingham reminded him of a farmer whose cantankerous wife used constantly to abuse her husband, especially out of doors. One day he met this man, and said, "How is your wife?" The answer was, "My wife is kind and condescending." Now that anecdote was applicable to the hon. Member for Birmingham, who was kind and condescending to the Irish landlords. He trusted that the clever but insidious speech of the hon. Gentleman would open the eyes of all Irish landowners to the danger of holding out to the tenants the prospect of buying out their landlords. If the dissatisfied Irish tenant were assured of the means of borrowing money to buy up his landlord's property, he would make his landlord as uncomfortable as possible. In such a case there would not be a tenant that formerly kept an old musket, who would not then procure a seven-chambered revolver. The greater the prize to be obtained the greater would be the risk a man would run that he might secure it. Before any long time the disastrous results of such a policy would become apparent. He trusted, therefore, that all the landlords, whether Protestant or Catholic, would band themselves together and make common cause to secure their rights.

MR. GLADSTONE : Sir, during this remarkable debate which my hon. Friend the Member for Cork (Mr. Maguire) has raised entirely upon his own responsibility—but I must say I think with profit to the House and the country—many errors and many sources of error have been pointed out from this side, and likewise in a measure from the other side of the House, in the views declared upon the part of Her Majesty's Government. But, Sir, if I am right, there is one source of error which extends more widely and penetrates more deeply than them all. It is this—that Her Majesty's Government have failed to realize in any degree at all approaching to truth the grave and, I will say, the solemn fact that we have reached a crisis in the affairs and in the state of Ireland. Ireland has a long account open with this country, and she asks—nay she expects—that it should be settled. Ireland has a controversy with this country which has endured for centuries. Mitigated it has been from time to time by the removal of one cause after another of heartburning and of irritation: but, unfortunately, enough still remains to mar the work of concord and of peace. I admit—and Ireland herself will acknowledge—that in that controversy this country is divided. There are those—I bebelieve them to be a great majority of Englishmen—who feel far from easy with respect to the position we occupy on the ground of right in that controversy against Ireland. There are those also who are conscientiously persuaded that we have a good cause and a just one. Sir, I wish it were possible—which it is not—that in this great question, on which so much difference of opinion prevails, we could do that which the wise policy of modern times has recommended in cases of international disputes—that we could carry our controversy with Ireland to the arbitration of wise, enlightened, good men in any country of the civilized world. How does the matter stand? Go north, south, east, or west, consult whom you will, consult eminent statesmen, consult learned legists and earnest religionists, there is but one opinion —I will not say in America—I will not say that, at this moment, spirits may not be found in a part of that community irritated or excited by particular circumstances and on particular subjects which are contested—but take the impartial opinion of any country in Europe—take that of France, for example; go to that immense diversity of political parties; take all their forms of thought, and take all the suggestions and aspirations of the learned and enlightened world, and where will you find the man who is not of opinion that in this great and still pending controversy between England and Ireland, England, though she may have done much, has not yet done enough to put herself in the right? With all due respect to the House, I say we ought now to recollect what Mr. Burke calls "that early and provident fear which is the mother of security;" and, without more delay, to make what I hope will be a final and successful effort to redress, according to the balance of justice, the wrongs of which Ireland has still just cause to complain. I for one must own that, regarding the circumstances of recent years—I will say of the most recent years—which have brought this crisis so near its issue, I am not content to regret the facts of the case, and to be responsible for refraining from any effort that may be in my power to make to liberate myself from a connection with a state of things which I believe—making full allowance for all that has been done in the right direction—has yet this double effect—first, that it offends the principles of social and of civil right; and, secondly, that it tends to compromise or cripple the strength and power of the Empire. Now, Sir, am I justified in stating that Her Majesty's Government have failed to realize the gravity of this crisis? Let me look at the speech of my right hon. Friend the Secretary of State for India, and what were its constituent parts? My right hon. Friend was certainly conscious of no shortcoming on the part of the Administration. He said—as well as I could follow his argument—that he trusted to three things. In the first place, he trusted to the impartiality of the Executive Government, and in respect to those most conspicuous acts which have recently been in the public view—I have pleasure in acknowledging that impartiality. But the impartiality of the Executive Government as a general rule represents a point not which we have just now attained to, but to which, on the contrary, we attained a generation ago, and whatever impartiality there is in the Executive Government, it cannot be sufficient—especially in such a case as this — to countervail the evil influence of defective or injurious laws and institutions. But my right hon. Friend said he would trust likewise to the influence of time. Well, Sir, with respect to time, it seems to me that my right hon. Friend is sanguine. We have been at this work for 700 years, and I own it seems to me that something more than the lapse of time is requisite, in order to bring us to a satisfactory issue of our difficulties. My right hon. Friend said, thirdly, that he trusted to the principles of justice. Sir, the name of justice is a great, a sacred, and a winning name, but the estimate of justice entertained by my right hon. Friend fully includes and embraces the maintenance of the Established Church of Ireland. I think the mere mention of that circumstance is enough to show that we cannot rely on that part of my right hon. Friend's computation. If I turn to the speech of the noble Earl the Chief Secretary for Ireland, I find in it these two remarkable points, on which, as it appears to me, he fails to perceive the bearing of his own arguments. The noble Earl gave what I own I thought was a most fair and ingenuous, and probably a very accurate desciption of the range and prevalence of Fenianism in Ireland. The statement of the noble Earl certainly did not concur with the language of those who would encourage us to regard this Fenianism as a matter of trifling consequence, or of purely passing interest. I think the noble Earl said that there was in Ireland a great amount of disaffection—he might almost say of disloyalty—and of dislike to England and to English rule. He said that the small occupiers in Ireland—a large section of the nation—sympathized, to a great extent, with Fenianism, and that in several large towns of the South the population were so deeply tainted that they were ready to participate in it to any extent. That is, certainly a very formidable statement. But the noble Earl said that this was a matter of foreign importation—that it came from another land—that it was only the Irish in the United States of America who formed the hot-bed of Fenianism. In passing, I think it is but fair to say that, although there may be many things difficult for us to explain with respect to the rather free development of Fenian proceedings in the United States, yet I believe that intelligent Americans are rather in the habit of pluming themselves, just as the noble Earl plumes himself, on the fact that Fenianism is a plant of foreign growth ; that although it has its development in America, it has its root in Ireland. This is not the point to which I would call the noble Earl's attention. What I would venture to indicate to him is this. To make his argument complete, he told us that the Irish in Australia, and the Irish in Canada, had no Fenian instincts or impulses. But if that be so, does it not immediately compel us to ask, what is the difference between Ireland and Australia, or what is the difference between Ireland and Canada, which gives one character to the Irishman in Canada or Australia, and another to the Irishman in Ireland? Well, Sir, there are these differences, and grave enough they appear to me to be—that neither in Canada nor in Australia does an Irishman labour under the slightest difficulty with regard to the legal security he enjoys for the fruits of his industry and labour, and in neither of them is he confronted by the spirit or by the remaining institutions of a hostile ascendancy. And when the noble Earl proceeded to show in much and important detail the progress that Ireland has made, I own it appeared to me that the noble Earl did but strengthen and aggravate the case against his closing argument. Then he showed us, no doubt, a number of favourable features and circumstances that we might observe in the condition of Ireland. He showed us that wages had been raised, that live stock had been multiplied, that deposits in the banks had increased, that the ports were flourishing, that crime was diminishing, and that agrarian disturbance—that old endemic of the country—had almost ceased. But if that be so, and if the material causes of discontent and disaffection are so much contracted and enfeebled, and if at the same time political disaffection has assumed a form, not indeed more violent, but more reasoned and deliberate than ever, then I say that what the noble Lord quotes in order to show that the crisis is mitigated, shows, on the contrary, the gravity of that crisis. The conclusion that should be drawn from the admitted juxtaposition of economical and social progress with increased and increasing estrangement and alienation of spirit, is that some great unsatisfied necessity still exists, and that the first duty of the Government should be to discover what that necessity is, and to meet its demands. I confess it appears to me that nothing can be less satisfactory than the declaration which is so commonly current, that Fenianism has no connection with our conduct as a State or as a Legislature. This is one of those cases so common in politics, of a verbal truth which is a real untruth. Fenianism has that connection with our conduct and our proceedings which the last link at one end of the chain has with the last link at the other. Who will deny the connection between Fenianism and the dissatisfied state of feeling that exists in Ireland? Who will deny the connection between that dissatisfied state of feeling and the policy that has been pursued by England? It is time now that we should examine this question. I rejoice to hear of the progress that has been made by Ireland. I do not feel that by admitting that progress in the largest terms we in the slightest degree weaken—on the contrary, I believe we much enhance—the argument for taking those yet further steps which remain to complete the connection between the two countries. There is a diminution of the grievous distress which so long ground down the masses of the Irish population. I do not inquire into the extent of that diminution or how much of that distress remains. I admit the diminution and I rejoice at it. There is a charge, if not more important, at least equally important, and that is, that, in the classes above the want of the immediate necessities of life, there has grown up within the last generation a sentiment of attachment to law and order, greater, more substantial, more lively, and more effectual, with a view to the administration of justice, than has ever, perhaps, been known in former times. A great achievement, and let me add, a yet greater encouragement. Well, there is this decrease in agrarian crime. It is impossible to express the satisfaction with which we now see that it was nothing but the very extremity of want and misery which led to those outrages prompted by what Mr. O'Connell called the "wild justice of revenge" which so long formed a scandal to the Nation, and that immediately the direct sting of want was either removed, or at least rendered less poignant in its application, those outrages ceased. The Irish people, by their immunity from vice, attract the admiration of this country; and the facility to which the improved sentiment of many classes of the people gives rise in the administration of justice is a circumstance upon which, I think, we cannot too freely indulge our satisfaction. But let us consider what are the facts of recent occurrence that give to the period at which I have the honour of addressing the House in this debate, the character of a great political crisis, calling upon us to consider well the position in which we stand. In the first place there is that depletion of the country which was described in the terms so vivid by the right hon. Gentleman opposite (the First Lord of the Treasury) at a period when I believe it was more marked than it is at present, but which still continues on a scale, the economical importance of which I will not attempt at this time to appreciate, but which appears to me to assume what may well be called a portentous character, not on account of the numbers of those who cross the sea to seek a home elsewhere; but on account of the spirit with which they quit our shores. No amount of argument, no amount of pleading as to what we have done or endeavoured to do, even if the pleas were fuller and more perfect than they are, could, I think, remove, from the very bottom of the heart and intelligence of every man sitting within these walls, the latent and painful consciousness that where not one man nor another, nor one set of men or another, but the whole population, or such portion of the population as must form a sample and pattern of the whole mass of the people—where such persons quit these shores, bearing with them, on the one hand, a passionate attachment to the homes they quit, but on the other hand a bitter and burning aversion to the laws and Government they leave behind them. I say no amount of argument, no amount of pleading can, as I think, remove from the mind a deep impression that where such feelings are carried away, and are so uniform and so permanent from year to year, from generation to generation, something must be wrong. We may rely upon it that, idle as is the sentiment under many circumstances, *vox populi vox Dei*, when it is applied to fleeting and transitory movements, yet the deep, profound, and lasting convictions of the people are never formed, and never stand the test of time and circumstances, without containing much of truth and of the sacredness of justice. Well, Sir, in these circumstances how do we stand as a Legislature? We have suspended in Ireland upon, I think, four separate occasions, continuous and together covering a term of three years, the main guarantee of personal liberty. And I own I am surprised at the facility with which some speakers have thought, or seemed to think, that they got rid of the extraordinary gravity of this fact by urging, on the one hand, that the Government had mercifully and discreetly used its arbitrary powers; and on the other hand, that the renewal of the suspension had been freely accorded in this House. Both these facts are undoubted; but, so far as regards the free assent of Parliament to the renewal of the

Habeas Corpus Suspension Act, I venture to repeat that which was well and opportunely said by my right hon. Friend the Member for Louth (Mr. C. Fortescue) at one of the stages of the Bill—

> "We assent to the renewal of that Act, because our first duty is to meet the necessities of public order, and to secure the protection of the law to the peaceable subjects of the Crown."

But we regard that as no light or trivial formality. On the contrary, we regard it as the testimony and the proof of a state of things so grave in Ireland as to call upon us to consider what state of laws and institutions it may be that stands in connection with the sacrifice of privileges so precious and invaluable. Well, Sir, under these circumstances, we have seen this portentous and loathsome disease of Fenianism overflow into England. We have seen it disturb the peace of towns and districts in this country. We have seen it create the necessity which has led to the enrolment of the inhabitants of England by tens of thousands for special duties in the preservation of the peace, and to the increase in this very metropolis, by a large number, of the police force, supposed to be requisite for the conservation of order. Now, are these circumstances nothing; and has nothing else happened in Ireland? Is it enough to say, as we may say, "Whatever the grievances of the people of Ireland now are, they are far less than they were; consequently there can be no great necessity for doing anything." Yes, Sir, no doubt they are far less than they were at the time when you had not taught the people of Ireland how to understand and appreciate them. But you have established in Ireland an efficient system of public education, and that education has given eyes to the blind; and while those who might have gone on from generation to generation with their uncultivated minds, allowing days and years to glide away, and never comprehending the significance of political circumstances bearing on their condition, have been relieved from a part, and a great part, of the causes of their complaint, you have left the rest in existence, and at the same time you have given them the means of forming a pretty accurate and a pretty acute judgment with respect to your relations to themselves. I must add, for I think it is an important feature in this discussion, that the political change—the great political change—introduced into the Constitution of this country by the measure of last year for the Reform of the Representation of the people, has produced no inconsiderable effect in imparting an impetus to the public mind, and in quickening a temper, which for many years had been somewhat sluggish, to grapple closely and resolutely with the problems and with the necessities of legislation. Now, Sir, all these things, I own, when taken together appear to me to place us in a condition in which we must endeavour carefully to appreciate our position; nor, thus far, is there any difference between us and Her Majesty's Government, because Her Majesty's Government, both before and since the right hon. Gentleman assumed the high post that he occupies, admitted the necessity of their having a policy for Ireland. That means much more than the discharge of ordinary duties in ordinary times, and what we have now to ascertain is whether that policy, as it has been announced, corresponds with the real exigencies of the public interest and duty. Sir, there are six subjects in all, either mentioned by the noble Earl the Chief Secretary for Ireland, or standing in such a relation to the public mind and to Parliament that we may fairly pass them in review at this moment. The first of these is Parliamentary Reform, and upon that subject I will not dwell further than to observe that I take it for granted, and make no doubt, that the measure which Her Majesty's Government are about to introduce to Parliament, in the course of a few days, will be a measure which will largely increase the popular influences that are brought into action for the purpose of sustaining the Constitution in Ireland. Making that assumption, I can have no cause of quarrel at this moment on that ground with Her Majesty's Government. I only note it because, in my view, the fulfilment of those expectations is an absolute condition, without which it would be impossible, I think, for most of us to recognize as satisfactory or efficient any policy with respect to Ireland. The next subject, repeatedly mentioned in this debate but calling for no lengthened comment from me, is that of the Ecclesiastical Titles Bill. There was an expectation that we were to hear from the Government what their intentions were with respect to that measure. It is a subject, I think, of great importance, as belonging to that class which is, I think, unwisely called the class of "sentimental grievances." I should be glad to hear what policy Her Majesty's Government intend to pursue with respect to that measure. So far as I myself am concerned I bestowed upon it at the moment of its birth anything but a benediction, and I have never seen cause in the slightest degree to change my sentiments; and therefore I have no communication at all to make to the House as to any vote I shall give in case the repeal of the Ecclesiastical Titles Act should come in question. Thirdly, there is a subject which requires no lengthened notice—the subject of the railways of Ireland. I am afraid from the best construction I could place upon the speech of the noble Earl that we have very little chance of a proposal for effective legislation on the railways of Ireland during the present Session. I make no charge upon that ground. No doubt the Government have done all they could to accelerate the examination of what undoubtedly must be a very difficult and intricate subject. We have not got the Report; there is only a hope that the Report may appear before Easter. The measure must probably be separated by some interval of time from the Report, and I fear that nothing more than the good intention of the Government can be inferred from the speech of the noble Earl. However that may be, I wish to say across this table that any measure which may be proposed by the Government with respect to the railways of Ireland will have from me, at least, and I think from others, a very candid and unprejudiced consideration. I am aware of the many objections that may be made to interference of that kind. But, on the other hand, I am a determined opponent of the attempt, which has sometimes found favour in this House, to deal with the woes of Ireland, or the evils of Ireland, by this or that little, petty, local and often scarcely public operation of grants of money, which causes far more dissatisfaction and sense of wrong in the parts which do not receive them than ever they can cause gratification or contentment in the parts which do. But we have of late, in the interest of England, and I think likewise in the interest of Ireland, made a great approximation to that principle of equal taxation which is in my view and conviction indissolubly connected with the true exercise of equal rights, and, that being so, I do not believe that, if the mode can be pointed out of conferring upon Ireland pecuniary benefit, provided it be equal, provided it be public, provided it be undisguised, and provided it operate, not for this or that class or section, but go to the whole community, I do not believe that Parliament would for a moment grudge to confer such pecuniary benefit upon Ireland. Sir, I will only notice, in the way of protest, a statement which I have heard twice in this debate, with great concern—the renewal of the—I will not use an epithet, for if I did I might use one that would hardly seem respectful—the theory that the sufferings of Ireland are owing to the operation of Free Trade. I cannot but express my great regret that, in these days, when we have all undergone the process of conversion, when we are all of us Freetraders, there are yet certain parts and quarters of the House in which so soon as ever an opportunity offers of nibbling at Free Trade, or of imputing to Free Trade some mischief or public calamity, it is forthwith made use of. Now, Sir, what ground can there be for imputing to Free Trade the grievances of Ireland, when every commodity that Ireland exports, without exception, has risen in value since Free Trade was adopted? I pass on to the three questions which occupied the principal part of the speech of the noble Earl, and on two of which especially must turn, as it seems, the great contention in which we are at present engaged. The first, as it comes in the noble Earl's speech, is the subject of education—I mean of the higher education; for I do not think that, at this moment, there is any question distinctly raised with regard to the primary and popular education of Ireland. Well, with respect to the higher education, it may be permitted to me, and to some who sit near me, to look back with a sentiment of paternal affection and regret on the plan which the late Government formed in the year 1865, and made known in the year 1866, and which we endeavoured at that time to carry into execution, but which was thwarted by the change of Government, and by other circumstances. That plan was founded upon two principles. In the first place, we felt, and I think we feel now, that the Roman Catholics of Ireland—and not only the Roman Catholics, but an important portion also of the Protestants of Ireland, in a degree not less than the Roman Catholics—have with respect to education a real and admitted grievance — namely, that if they seek for their children that kind of education which is called denominational, they are subjected to detriment in regard to certain civil rights on account of that conscientious belief and that religious opinion. I need not say that in my view no method of dealing with the higher education in Ireland can be satisfactory which shall not provide an effectual remedy for that real grievance. We also founded our plan — though, I admit, this was not generally understood—upon a sincere desire to maintain in full vigour the system of Queen's Colleges which were founded by Sir Robert Peel; and I am bound to say that, with the additional experience of the two years that have since passed, I think that the plan that was then proposed for settling that question of the higher education in Ireland was a plan which would have settled it upon terms by far the cheapest that will ever be found capable of being accepted with the view to its solution. However, that plan was born under an evil star, and I shall not speak of it as being now in existence. We have now passed on to another stage. Another Government is in office, and that Government, as a part of its policy for Ireland, calls upon Parliament to sanction by its moral approval and by votes of public money a University which *ab initio* and by the very terms of its foundation is to be intended only for the benefit of a portion of the people. In the rear of that proposition, thus aiming to place upon the Consolidated Fund of England that which never has been so placed before — there comes a phantom train of figures of certain Colleges, what we know not, and how many we know not, that are in their turn, as the noble Earl darkly intimated, to become candidates for Parliamentary endowment. Now, on this subject I hope I am free from prejudice, and capable of giving an opinion fairly between the respective kinds of education. But I cannot afford, in estimating a public measure, to omit altogether the observation of facts, and particularly of those facts which, from their number and repetition and uniformity have begun to assume the character of law. I think I may say, within the limits of proof, not only that at no period has Parliament voluntarily undertaken the support of Universities and Colleges constituted as it is now proposed, but likewise that, upon every occasion for the last twenty or thirty years, it has been actively and constantly engaged in the endeavour to get rid of Votes which were directly connected with any sectional or denominational interest in the matter of public education. Now, it will not be supposed that I have forgotten that there was a Vote, beyond the memory of many who now sit here, but likewise within the memory of many, which was annually taken for the modest sum of £800 or £900 for the purpose of sustaining certain chairs at Oxford and at Cambridge. That Vote never was the spontaneous Vote of Parliament; it was a Vote taken over by Parliament under an extended arrangement with the Crown from the Civil List, which formerly constituted part of the personal bounty of the Sovereign. But was that all? It was a subject of incessant contention. No year passed without its being challenged, and when I was Chancellor of the Exchequer under the Government of Lord Aberdeen, I thought myself happy in being able to make an arrangement with the Universities, by which that Vote was removed from the cognizance of Parliament; and not a farthing has been voted for fifteen years for the purpose of either University, or any corresponding institution. I apprehend that was done, not merely on the ground of satisfying principles, however strongly embraced by some persons, but because it was felt that Votes of that character, even where directed to the support of a religion immediately corresponding with the faith of the majority, must be perpetual subjects of contests and controversy. Does the right hon. Gentleman think that the foundation this year, 1868, of Universities and Colleges, to be supported by annual Grants from the Consolidated Fund, is a proposal that can live either in these times or in times to come? I will not now enter upon the question of the Maynooth Grant, that old question of contention. It is a case not analogous to that which we are now invited to deal with. That came to us as a legacy from the Irish Parliament. But I meet the question on practical grounds, and although I shall maintain on every Irish question a desire to go to the very furthest point in meeting Irish sentiment and opinion, yet I think it would be vain, idle, and deceptive, were I not frankly to avow my conviction that the proposition which has been made, or rather, I may say, projected and sketched in air by the noble Lord the Chief Secretary for Ireland, is one which it is totally impossible to carry into execution. I cannot but think that the right hon. Gentleman the First Minister of the Crown, and his Colleagues, must be as well aware of that as we are, for how curious was the disclosure made to us the other night by the noble Lord. He said—this was his expression: a most winning, soothing, I might almost call it, coaxing expression—"We are determined to make on this great subject our first confidence to the House of Commons." Nothing could possibly be more amiable. But what is the consequence of this endearing practice of first confidences? It is to call upon us to commit ourselves to measures before we know anything whatever about them, as to the probability of their being accepted by any human being except the fifteen distinguished Gentlemen who meet in the Cabinet-room of Her Majesty. I do not know whether it is fair to call on us to produce evidence of the negative. I do not propose to show that there are no assents to the plan of the right hon. Gentleman, because I think it his business to show that there are no dissents; but I have read a very important paper, entitled *A Statement on the University Question*, addressed to the Catholic Members of Parliament, by the Rev. Dr. Leahy, Archbishop of Cashel, and the Rev. Dr. Derry, Bishop of Clonfert; and on the 9th page, I find this passage, which I will read, because the noble Earl very fairly and positively announced that this is not to be a clerical or episcopal University; but that a vigorous lay element was to be joined with clerical superintendence, so as to ensure a fair, open and deliberate government of the institution. Now what is it they say? I quote from the authoritative statement of those distinguished prelates, writing on the part of the Irish Bishops, who, at a meeting last October, appointed them to negotiate with the Government in their name on the question of a charter and endowment for a Catholic University, although it appears that the negotiation did not proceed. The principle on which the Irish hierarchy would be prepared to approve of a Catholic University is thus declared—

> "Equally certain is it that the Bishops will not forego the right of authoritative supervision with respect to any possible plan of University education, in its bearing on the faith and morals of their flocks. That is a right inherent in the office of the Bishop, forming an essential part of his pastoral authority, which he can on no account forego. It includes the right of intervening in the selection of teachers, of watching over them, and, if necessary, of removing those whose influence may be injurious to the spiritual interests of Catholic youth. It also includes the right of examining, and, if expedient, of rejecting books which it may be proposed to use in the University."

The tract proceeds to state, I have no doubt, with perfect sincerity, that these rights will be exercised in the mildest and most considerate manner. But do not disguise from yourselves what these rights are. The rights are those of controlling the appointment and directing the dismissal of every teacher, and of exercising also the power of prohibition over every book that may be used in the University. Now, without giving an opinion on that passage, it appears to me almost idle on the part of the Government to propose to us a scheme of this kind without having once submitted it to those Gentleman, representing as they do, a most important, and in many respects a most beneficial and healthful influence in Ireland—without having ascertained from them what reception such a plan would receive, inviting us to take on this question also "a leap in the dark," and to give our submission to a scheme of University education which, when we have adopted it, we may find acceptable to no one but ourselves. I cannot call such a proposal a measure. I must rather call it a notion or an idea, and I must observe that the adoption of it will not settle the question. You would still have the Presbyterians to deal with, and not them only, but the Wesleyan Methodists in Ireland. Do not suppose that, after once setting the precedent of establishing that University, you would persuade them to remain in a position of inequality, particularly when you have in existence in Ireland an institution called the Magee College—a College possessed of wealth and endowments to nearly the same amount as the present Roman Catholic University—and making demands on you equally just for free access for its students. With respect to this plan, viewing it as I do in the nature of a visionary creation, I will only say that, in my opinion, the position of the question of the higher education has been much changed within the last two years. Last year the subject was raised in this House by my hon. Friend the Member for Brighton (Mr. Fawcett) and my right hon. Friend the Member for Limerick (Mr. Monsell), as to how far it was right to re-consider the position of the great national University of Ireland; and there is so much to be said on that subject that I am unwilling to form an opinion as to what may be the best mode of solution of this question until we know what course it may be right to take in respect to the Dublin University. It is quite evident that this question of education runs up into the still higher and greater question of the Church. If we are prepared to take those decisive measures with respect to the Church of Ireland which have been recommended, it is plain that the position of the national University would require to be specially considered. Seeing this, I have not thought it right to disguise my opinion that such a plan as is here projected of putting upon the Consolidated Fund of the Three Kingdoms—especially with their strong and predominating Protestant character and feeling—an institution such as is now proposed, in broad deviation from, or rather in contradiction of, our precedents and tendencies, is a visionary one. If Parliamentary schemes, like human beings, are to be found in the other world, then I say this scheme, if it ever should be met by a wanderer into those regions, will rank with those described by Virgil in these words—

> "Quos dulcis vitæ exortes, et ab ubere raptos
> Abstulit atra dies, et funere mersit acerbo."

It is, Sir, of the nature of those schemes which die before they live. I now pass on to other and greater subjects—for, important as is the subject of education, there are two others which surpass it, and which form the two hinges of Irish policy—the questions of the land and the Church. As respects the first of these, I am glad to make an admission that here, as also with regard to Parliamentary Reform, the noble Earl has laid down a ground on which, in the first instance, at least, we may hope to meet; but I cannot speak of the plan of the noble Earl without pointing out to the House how real, at least, in my judgment, is the grievance of Ireland with respect to land; and the proof of this I will not draw at this moment from any questionable source, but I will refer to patent facts and to declarations of public authority. Nearly a quarter of a century ago, in the year 1844, the question of Irish tenure and the unprotected position of the cultivator with regard to the fruits of his industry and labour had become so urgent as to lead the Conservative Government of Sir Robert Peel to appoint a Commission to examine thoroughly into the matter. The Commission reported in 1845. It was composed of men whose names carry the utmost confidence. One of them, I may say—to whom I shall always have pleasure in referring, on account of his character and services—Mr. Hamilton, now Secretary of the Treasury—was in immediate political connection with the party opposite. That Commission unanimously reported on many subjects connected with tenure, but especially they reported to this effect—that under conditions and for purposes which they described, it was the duty of Parliament, without delay, to legislate so as to secure to the tenant the benefit of his improvements, even if made without the consent of the landlord. That opinion was adopted by the Conservative Government of Sir Robert Peel and the Earl of Derby, as the representative of that Government in the House of Lords, in 1845 made an earnest effort to secure the adoption of the principle. But from that day to this the principle has not been adopted. That fact —which, if it be a fact, is one of immeasurable gravity—that the mass of human beings who inhabit that country, and are dependent on their industry, have not due security for the fruits of their industry—that fact was brought again and again, from the most authoritative and unsuspected sources, under the notice of Parliament. Bill after Bill was proposed, and either rejected or evaded, and to this hour the account of the Irish nation with England with respect to the tenure of land remains unsettled. The only Bill that was passed was that of my right hon. Friend near me (Mr. Cardwell), in which an attempt was made, in terms the most restricted, to obtain some concession to the tenant, on account of improvements to which the landlord did not object. That Bill was as much as by any magic could be extracted at the time from the will of Parliament. That Bill has remained a dead letter, and the whole subject remains for us to face with the painful reflection that for the last twenty-four years the Irish people, upon their little plots have been conducting the daily battle for life without the shelter which the Devon Commission, the Peel Government, the Derby Government, and every Administration declared ought to be given; and we have to make this confession of our impotence to discharge a primary duty of justice to the country. We have heard reference made to the operations of the Incumbered Estates Act and the Landed Estates Court; and I understand that land to the value of between £35,000,000 and £40,000,000 has passed through that Court. I have heard it said that that land amounts to not far short of one-fifth of the cultivable land in Ireland. The improvements made on that land when it was sold were made by the tenants. I must here apologize to those landlords who have not forgotten their duty to their tenants; for we cannot by constant parentheses except them from the censure passed upon others. Speaking generally, when these £36,000,000 worth of land were sold in the Incumbered Estates Court, the improvements of the land, which constituted a large portion of the value of those estates, were improvements made by the tenants, who had never received value for them. Who did receive value for them? The vendor—that is to say, the landlord? These improvements were bought over the head of the tenant from the outgoing by the incoming landlord. The incoming landlord was entitled—or at all events he was too much tempted—to say that he had paid for them, that they were an element in the price, and that he must adapt his rent to the amount he had disbursed. I am afraid it is an undeniable fact that, in many cases, there has been a great aggravation of the position and of the discontent of the tenant from the operation of a measure which, however beneficial in its general scope and intention it may have been, appears to have been hard and unfortunate in some of its results. It appears to me that the noble Earl is perfectly right in proposing legislation to secure to the tenant compensation for improvements; but I own I am sorry indeed that he accompanied with the announcement of his Bill the announcement also of a Commission; because I think, in the first place, that the scope of that Commission is exceedingly uncertain. I see no definition of the matters into which it is to inquire. I own I have a nearer and more pressing fear that the appointment of that Commission—if it is to go forward—may be used as a very plausible objection to present legislation. I believe that this matter is urgent in a high degree, and I should most deeply regret to see a plea put into the mouths of those who, from jealousy or fear—and from exclamations which reached me a few moments ago there may be some who feel jealousy or fear in this House—I should feel sorry to see put into their mouths a plea which might be used to recommend the further postponement of this vital question. It is customary to argue this question by saying that the law cannot be very grievous in Ireland because it is the same as the law in England, and the advocates of a change—I myself amongst others—have been content to do what, upon a review of the matter, I do not think was quite sufficient for the case—namely, to argue that a multitude of local customs, as well as social circumstances, made the operation of the law in England different from what it is in Ireland. We have admitted that standard of appeal; but I now wish to challenge it altogether. I must say, on reflection, that so far from thinking the law in England, viewed nakedly with regard to the principle it asserts—namely, that all that which the tenant puts into or upon the soil, in the absence of any covenant to the contrary, shall be the property of the landlord—so far from thinking that a good law, I humbly think it is a bad law, and that the just and fair law would be, that in the absence of any covenant, if the landlord thinks fit to make over to another party the whole business of cultivating the soil, the improvements effected by his tenant in the course of that cultivation should be the property of that tenant. But if the existing law is bad in England, it is a bad law mitigated, as my hon. Friend the Member for Westminster (Mr. Stuart Mill) has shown with irresistible force, by a multitude of circumstances that intercept and neutralize the operation of that law, and place it rather in the category of theoretical than of practical grievances. Not one of those circumstances, however, extends to Ireland. This is not an occasion upon which it would be wise to enter into those circumstances; but I humbly recommend the noble Earl (the Earl of Mayo) to avoid as much as he can minute and complicated details—specifications of how much is to be allowed here and how much there. Let him take the principle of the English law, and, if I may use a homely phrase, turn it inside out. If he will then frame executory provisions, as few as possible, he will lay the foundation for a return of that confidence which is so essential. I urge this matter very strongly, for I feel that much depends upon it. I own I am one of those who are not prepared—I have not daring sufficient—to accompany my hon. Friend the Member for Westminster (Mr. Stuart Mill) notwithstanding the powerful and weighty statement with which he supported —or rather introduced—his proposal, for what appeared to me to be the dismissal of the landlords of Ireland. Whether the Irish landlords have done their duty or not I will not undertake to say. But I will say I believe that false legislation, and the miserable system of ascendancy which has prevailed in Ireland have so distorted and disfigured the relations of class to class throughout that country, that, until the evil is effectually cured, we cannot pass a fair judgment upon any of them, or form a conclusion as to what we may reasonably hope to see effected in the future. Well, Sir, there is another question less formidable in principle but one of which we often hear, I mean fixity of tenure. Now, I own it seems to me that the great object is to give the tenant full security that the proceeds of his labour and of his capital shall under all circumstances, unless he covenants to part with them, be his. Legislation to that end, if simple and effective, will have a very powerful tendency at any rate towards securing stability of tenure; and it will make wanton disturbance by landlords a difficult, and perhaps a costly matter. Still I am not ashamed to say that I shrink from the attempt to procure direct legislation for fixity of tenure. Leases under circumstances well adapted to them, as in Scotland, have proved an admirable system. But since the repeal of the Corn Laws we have had much experience of them in England. We have here a very intelligent and constantly improving tenantry; but it is found not to be safe to attempt any sudden or wholesale introduction of leases. What I fear is that direct legislation upon that subject might be misunderstood, and might be injurious in its effect on the habits and feelings of the occupiers of the land. At any rate, I should much wish to see what consequences would follow from the frank recognition of the principle of perfect security to the tenant for the proceeds of his capital and industry expended on the soil, because I think that fixity of tenure, so far as it is beneficial, may result from the operation of that principle. I agree with the noble Earl, that if there be any mode by which the use of public money by way of loan can be made auxiliary to the working of such a system, I think we ought not to be afraid of applying public money to that purpose. I own I feel the greatest doubt with regard to the proposition of the noble Earl; but I think the use of public money on adequate security, and with equal regard to the rights of labour and the rights of capital, may be made a very useful auxiliary to such a measure as the noble Lord now proposes. There is another point we have to consider—namely, the plan of the hon. Member for Birmingham (Mr. Bright), who proposes to bring the State into the market as a purchaser of land, with a view of disposing of it again on certain terms. No one, after the explanation of that plan by the hon. Gentleman, would object to it as an interference with the rights of property. There are, however, difficulties connected with the functions proposed to be laid upon the State with regard to which we have not sufficient experience to pronounce; but I would beg to point out to the noble Earl the Chief Secretary for Ireland that if, in the course of the changes to be adopted with regard to the Irish Church, the State should become possessed in trust—for what purposes I do not now ask—of the ecclesiastical estates of Ireland, those estates being in the hands of the civil power, would at once afford an opportunity, if it should seem to be wise and politic, to give a fair consideration to the plan of the hon. Member. I think my proposition is at all events intelligible. I am afraid that hon. Gentlemen may think that I want to beg the question with regard to the possession of these ecclesiastical estates; but I am coming to that now, as I think I have said all that it is necessary for me to say at this moment upon the subject of the Land Laws. With respect, then, to the question of the Established Church in Ireland, I may say that it has been with a satisfaction almost equalled by my surprise, that I have witnessed the extraordinary progress of opinion on that question, both within and without this House, whether measured by the arguments and the tone of those who recommend the proposed change, or by the arguments and tone of those who resist it. In fact, I think that, perhaps, the greater encouragement is to be drawn from the latter. The right hon Baronet the Secretary of State for India, if I gathered his meaning aright, has one argument, and one argument only, for maintaining the State Church in Ireland; and that is, if the State Church in Ireland be removed the State Church in England will be endangered. I am not protesting against that argument at all; I am only endeavouring to state it. "Because," says the right hon. Baronet, "I will undertake to show that there are parishes in England in which the Dissenters are in a large majority, if you show me that the Roman Catholics are in a large majority in Ireland; a nation is like a parish, and whatever change you admit into the nation of Ireland you must admit also into the parish in England." But shape the argument as you will, I will only say that, in my opinion, those who wish to preserve the Church of England in that position of dignity, stability, and utility which she now holds, will do well to found her claims upon the labours she performs, upon the services she renders, and upon the affections she attracts from the great mass of the people, including that vast number within her com.

munion, and no small number of those that are beyond her pale—and will not do wisely to venture her fortunes in the bark of such a crazy argument as that, which says that whatever applies to the Established Church of Ireland, with its handful of adherents, must apply to the Church of England, with its millions upon millions of devoted followers. I wish to call the attention of the House to what appears to me a point of great importance. We have reached a stage in the progress of this controversy. Let the House mark the words of the noble Earl—"Preserve the Established Church, make the Consolidated Fund tributary to the Universities of particular communions and denominations, and to their Colleges." But that is not all. There was also a significant and ominous intimation with regard to the Presbyterian community. "The *Regium Donum*," said the noble Earl—"is miserable in amount, and utterly unsuited to its purpose." What, Sir, is the *sequitur* from that statement? That the *Regium Donum* is to be increased by a proposal of the Government on the first favourable opportunity; and I have not the least doubt that if when that was done, and there was a fear of thereby exciting a sharper sense of inequality on the part of the Roman Catholic population, all dangers of that sort would be conjured away by the Government, with some bland assurance to the effect that they were not indisposed to make the large resources of this country directly contributory to the support of the Roman Catholic Church. What is the meaning of all this? Will my right hon. Friend the Member for Stroud (Mr. Horsman) permit me to offer a criticism on one striking expression in his speech? He said that the policy of the Government on the Church Establishment was to be a policy of inaction. Oh, no, Sir! Hitherto we have maintained the Establishment as we have found it. We have maintained the *Regium Donum* as we have found it, and we have not applied the resources of the Exchequer to maintain denominational Universities. But the doctrine now is that these Universities must be endowed; that the *Regium Donum* must be increased; that the Colleges, if the matter can be arranged in detail, must be sustained; that burden upon burden must be laid upon this people of the country in order that we may be enabled to enjoy the blessing and the luxury of maintaining the Church Establishment in Ireland. I do not undertake to determine the relative importance of the questions of the Church and the land in Ireland. It appears to me that both are vital. There is a story told of King William III., that when he came into this country, and the Scottish Bishops came to see him—he was by no means averse to them or their episcopacy—and he asked them whether they would support him, the spokesman of the Scottish Bishops replied, "Your Majesty, we will support you as far as honour and conscience will allow." William III., shrewdly interpreting that to mean, "We will not support you at all," answered, "Gentlemen, I cannot swim with one hand." He had the support of the authorities in England; and he wanted that of the authorities in Scotland, and he delicately intimated that if they would not support him they must cease to be authorities. Well, Sir, the policy of the Government cannot swim with one hand. Both the Church and the land are vital questions. The claims of the one against the other I do not care to argue. Let us look at the case of the Church, and consider the dilatory pleas of Her Majesty's Government. First of all, there is a Commission. A Commission! I do not deny it; nay, I will be still more liberal in my admissions—a Commission moved for by Earl Russell. What a godsend to the Government that Commission has been. Why, three-fourths of the whole argument has not consisted in the missionary function of the Church, the office of the Church to uphold the truth, or any of those elevated topics consecrated to the support of the Church in former times; but has been supplied by the existence of this Commission, and Earl Russell is held to be the person who is responsible for the state of facts in which we stand, and by which we are forbidden by the Government to entertain, except *in futuro*, the question of the Irish Church. Now, I will endeavour by a plain tale to dispose of this plea, which the Government were apparently determined not to waste, and which they have turned to the utmost possible account. They appear to have got all his speech by heart, except the declaration which I am about to quote. Earl Russell said, on the 24th of June, 1867, in making his Motion—

> "Parliament would do ill if it did not prepare itself by every possible means for the full consideration of the subject in the early part of next Session."—[3 *Hansard*, clxxxviii.]

Is Earl Russell, then, to be responsible for its postponement to 1869? ["Hear, hear!"]

Perhaps the hon. Gentleman who cheered thinks so, as next Session is 1869; but this was in 1867, and the next Session to that of 1867 is evidently 1868. There is no reason why six months should not have amply sufficed to have gathered all the information that was wanted or that could be useful in order to place Parliament in full possession of the whole case, so far as matters of fact were concerned. But, Sir, this is really beside the question. There is not a fact which the Commission will ascertain that can affect our determination, or the opinion which I am persuaded is entertained by a large majority of this House. The Commission may settle questions for those who want to determine whether the surplus or no surplus amounts to this or that sum, or how the revenues now possessed by the Irish Establishment should be re-distributed within its own body. But these are recommendations utterly irrelevant and immaterial to those who approach the question in a different spirit; who admit all you can say with respect to the merits or the personal excellence of the heads or of the ministers of the Establishment, the elevation of their character, the purity of their lives, and the zeal with which they devote themselves to their duties, but who take objection to the Irish Church, not on account of any particular property or quality it presents to us, but on account of its essence and its existence: therefore the Commission is irrelevant to the matter But to eke out the question, there is a speech made by me in 1865. The right hon. Gentleman the Secretary of State for the Home Department referred to that speech in terms of great respect, and I really believe that he had reason to refer to it in terms of respect and good-will, because—unless I am mistaken—whether that speech did or did not do the Irish Church any good, whether it did or did not do the Liberal party any good, it did him some good in assisting him towards the attainment of that seat in which he so zealously and ably discharges his duties. But when I look back to the debate in which that speech occurred, and measure the circumstances of that day with those of the present, I am able to estimate the immense alteration—I humbly presume to say the immense progress and advancement of opinion which has taken place. That Motion, if again made, I should hesitate to support; nay, I should refuse to vote for it. It was one which only asserted "That the condition of the Irish Church Establishment is unsatisfactory, and requires the early attention of Her Majesty's Government." I do not know whether the hon. Member for Swansea (Mr. Dillwyn), who made the Motion, is in the House; but my hon. Friend the Member for Tralee (The O'Donoghue), who seconded it, will recollect the tone of the House and the public mind. I believe they proposed as much as with safety, and without risk of violent reaction, could be proposed on the subject at that moment; and I do not think my hon. Friend the Member for Tralee, whose sentiments are well known, mentioned the subject of the abolition of the Irish Church. I ventured to assert on that occasion that that was the question for the future, and that, in my opinion, it was not the duty of a Minister of the Crown knowingly and voluntarily to promote agitation in the public mind upon any question except one with which he was prepared at the time, in his responsible character as a Minister, to deal. I certainly therefore take no credit for having made a speech such as I might now make on the subject of the measures to be adopted with respect to the Church of Ireland. But I will say, while setting forth the impossibility of maintaining permanently the Church of Ireland as it was, I did not use one word, to my knowledge, on that occasion which was contrary to the opinion I held then and hold now—namely, that in order to the settlement of the question of the Irish Church, that Church, as a State Church, must cease to exist. Now, Sir, this is not the occasion on which it is requisite to enter into a lengthy argument on the subject of the Irish Church; but I will quote a passage from a letter written by a person who knew Ireland well, and whose name, if I were to mention it, would be received with respect on both sides of the House. The passage occurs in the course of an argument for removing the Church Establishment in Ireland. The writer says—

> "It is often said as an objection to our thesis that Irish disaffection does not rest on religious grounds, but that it springs from the old enmity of race; from the national antipathy of the conquered to the conqueror. So far from being an objection, this seems to me to furnish an argument in our favour. If disaffection arose from difference of religion we could never hope to see the end of it. *Oportet et hæreses esse.* At all events, we could not see the end of it in these countries until poor Father Spencer's prayers are all heard, or heard for all."

Gentlemen will recollect that Father Spencer had a habit during the later years of his life, of promoting among congregations prayers for unity.

> "But if present disaffection is only a continuance of the war between the Saxon and the mere Irish, most certainly it can be ended. In England you have welded together the conquerors and the conquered—Briton, Saxon, and Norman —though it must be admitted that the British Celt was the hardest to weld; but at length it has been done by the operation of equal laws and rights. The example of Scotland is more to the point, and occurs to every one. Now, I say that religious inequality or the Church Establishment is the only remaining vestige of conquest—it is the last remnant of the ascendancy of the conqueror."

I, for one, share that opinion. Without the slightest reproach to any of those who bear office in the Irish Church, I am convinced, from a long observation, that that institution is, and by the law of its existence must be, the home and last refuge of the spiritual ascendancy; and as that which, beyond all particular and special measures we need, is the expulsion of the spirit of ascendancy from Ireland, I take leave to say that, in order to that expulsion, we must now proceed decisively to deal with that question of the Irish Church. Why, Sir, what an illustration of this subject have we had this very night, if the House will permit me to refer to it. My right hon. Friend the Member for Kildare (Mr. Cogan) put a Question relating to an inflammatory speech made by a Fellow of Trinity College; and an hon. Friend of mine opposite, the Member for Whitehaven (Mr. Bentinck), with his well-known ingenuity in repartee, thought that he had fairly counterplotted the plan of the Member for Kildare by producing a parallel speech by a Roman Catholic priest. Sir, I own it was with some amount of dissatisfaction that I heard the Answer of the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Warren), because I did not trace in the particulars of that answer that spirit of perfect impartiality which I have gladly admitted in the general conduct of the Irish Executive. The Roman Catholic meeting was held last October or November, and shorthand writers were appointed on the part of the Government to attend and make sure that no mischief came of it. But when the Protestant Defence Society met to discourse on the subject which was dilated on by Mr. Ferrers, there was no Government shorthand writer present. Mr. Ferrers, having made a speech, the terms of which undoubtedly deserve, like those of the other speech, the severest censure, rides off upon a perfectly vague and general assertion, not that the report is incorrect, but that it is incomplete; and that if the context had been supplied — which he takes care not to supply—the thing would bear a different meaning. But suppose that to be the case, are these instances parallel? Who is Mr. Lavelle? The outcast child of a Church proscribed in Ireland. ["Oh, oh!" *and* "Hear, hear!"] Well, of a Church, a communion long proscribed, and now excluded from all the benefits and favours of the State. Who is Mr. Ferrers? Mr. Ferrers is an example of the results of the learned leisure and dignified ease and richly endowed Fellowships of Trinity College, Dublin—and a proof that, after all, these things produce much the same description of fruit as the discontented and disconsolate condition of the Roman Catholic Church. But what is the further difference between them? The man who smarts under inequality uses violent, unseemly, and culpable language; and the man who is threatened with nothing but equality uses language much the same in its violent and unseemly character. Sir, the truth is, we must not be too hard upon individuals. These things are in a great part the effects of an evil system and inveterate traditions; and I was glad when the right hon. and learned Gentleman said that he did not intend to prosecute for the one set of words or the other. But we should do more wisely to lay the axe to the root, and to stop the further engendering of these poisonous and pestilential fruits. With respect to the Church, as to which I will enter into further argument in detail, in my opinion, it is absolutely necessary that we should, in the first place, establish religious equality in Ireland. Stating this at a public meeting of my constituents some months ago, I thought that I had said what was impossible to be misunderstood. But that declaration has been deprived of its meaning by several distinguished persons, who have adopted it and affixed to it a sense totally different from mine. I am not going to discuss the relative merits of "levelling up" and "levelling down." I am neither for levelling up nor for levelling down. But "religious equality," understood in the sense of Grants from the Exchequer, in order to bring the general population of Ireland up to the level of the Establishment; or understood in the sense of plans for dividing and re-distributing the income of the Establishment in salaries and stipends to the clergy of the several communions — these are measures which, whether beneficial or not, might, at other times, have been possible, but in my opinion they have now passed all bounds of possibility. And it is vain and idle for us, as practical men charged with practical duties, to take them or keep them in our view. My opinion is, then, that "religious equality" is a phrase which requires further development; and I will develope it further by saying that, in this religious equality in Ireland, I for my part include in its fullest extent the word—a very grave word I do not deny, and I think we cannot be too careful to estimate its gravity before we come to a final conclusion—the very grave word disestablishment. If we are to do any good at all by meddling with the Church in Ireland it must, in my judgment, be by putting an end to its existence as a State Church. No doubt it is a great and formidable operation—I do not disguise it—to constitute into a body of Christians united only by a voluntary tie those who have for three centuries and a half been associated more or less closely with the State—under the Tudor system directly associated with the State—and by the Act of Union seventy years ago brought still more closely into relation with the civil power. This is a great and formidable task, yet my persuasion is that, in removing privilege and restraint together, in granting freedom in lieu of monopoly, a task will be proposed to us that is not beyond the courage and the statemanship of the British Legislature. Sir, I entirely agree with my hon. Friend the Member for Birmingham (Mr. Bright) in what I understood to be the purport of his speech, as to the mode of effecting this great operation. We must, in my opinion, respect every vested interest, every proprietary right, every legitimate feeling; and, in every case of doubt that arises, we must honestly endeavour to strike a balance in favour of the other party and against ourselves. The operation is rude enough after all the mitigation which we can impart to it by the spirit in which we may endeavour to approach it. But, Sir, I again say that, in my opinion, that operation, to attain its end, to achieve the great results that we seek and desire, must be an operation which, for Ireland, shall finally and conclusively, so far as we are concerned, set aside and put out of view all idea of salaried or stipendiary clergy. I hope I have declared with sufficient clearness the general sense of the policy for which it appears to me the time has come. I have deliberately endeavoured to vindicate abstinence from previous agitation upon this question. Not only when I was in office in 1865, but when I was out of office last year, I declined to vote with my hon. Friend the Member for Kilkenny (Sir John Gray), because I felt that giving such a vote might be construed into sending forth a pledge to the people of this country, and to the people of Ireland, which I was not prepared to redeem. But in the present state of Ireland, with its suspended liberties and with its continuing evils, assuming a subtler, and perhaps on that account a more dangerous, form — and viewing the state of opinion which has grown up in this country, in no small degree under the influence of changes proposed and promoted by Her Majesty's present Administration, I recognize the fact that the time has come when this question ought to be approached, and when, if approached, it ought to be dealt with once for all. Sir, with respect to the Motion of my hon. Friend the Member for Cork (Mr. Maguire), I hope that he will withdraw that Motion — not in the least as implying that it was an unnatural one for him to make, or a useless one for Parliament to discuss. On the contrary, it has greatly advanced public sentiment on this question. We on this side of the House have not been inattentive to the voices that have proceeded from that side of the House, and we doubt whether the influence of a religious feeling, which we must think narrow and misguided, will sustain the Government of Her Majesty in the policy or plan they recommend of maintaining the fabric of the Irish Establishment, and of giving it a moral support by the creation of a number of new fabrics around it, to make the sense of inequality in Ireland less sharp and less intolerable by Grants at the charge of the people of these three Kingdoms. On the contrary, I respectfully recommend a withdrawal of the Motion, upon this clear ground — that the Motion embraces the Irish question as one. Doubtless it is one for deliberation and discussion, but for action and for legislation it is one which divides itself into branches. On some of those branches we have the promise of proposals from the Government, which, so far as I can judge, and without any present attempt to measure the amount, may be useful, as far, at least, as they go. Our desire is to march with them to the furthest point that is possible — to leave them only under the compulsion of what we may think our duty: but when we have reached that point, without hesitation to leave them. We shall be glad to co-operate with them as respects their proposals, at least so I trust; at any rate, to see how far it is in our power to do so as respects their proposals touching the land and the Parliamentary institutions of the country. But there remains this great and vital question of the Church, which lies at the root of all the other questions, surrounding them all, pervading them all—constituting, as it were, an atmosphere within which all those other questions have to be touched and handled. I do not disguise that, so far as I am acquainted with the sentiments of those who sit on this side of the House, the declarations that have been thus far made by Her Majesty's Government are wholly unsatisfactory; but I do not say that they would be more satisfactory had they proposed some small measure, or had they held out some distant hope — some distant unpalpable hope without substance or body. The case is not yet complete, because we have not heard the declaration of the right hon. Gentleman at the head of the Administration, and there have been times when his declarations have given a new colour to the debate. But unless the sentiments which we here may hear from him should greatly vary, perhaps I should say, altogether differ from the sentiments which have been declared by my right hon. Friend the Secretary of State for India, and the other Members of the Government who have spoken, I for my part cannot entertain a doubt that it will be the duty of those who differ from the Government to make a proposal, and to ask the opinion of the House upon the question of the Irish Church. But, Sir, if such a proposition is to be made, then there are two things I will venture to add. In the first place, it ought to be plain, simple, and intelligible in its terms. I suppose that anyone who might make it, would justly disclaim the duty of submitting to Parliament a measure upon a subject. That can only be dealt with by the Government; but the principle and basis of that measure ought to be indicated, so that the issue may be plainly taken. But another thing I must add, and it is this—the declarations of Parliament with respect to the Irish Church Establishment will not now perhaps — if it stands alone — command all the credit which it might have commanded in other days, because it is not the first time that Parliament has endeavoured to assert the principle that the property of the Established Church in Ireland should be dealt with. For several successive years this House adopted the Appropriation Clause. until at length, confessing defeat, it desisted from the attempt to pass it into law. I think, therefore, that if anything is declared by the House on the subject of the Irish Church we ought not to confine ourselves to words. It ought to be a declaration attended with some step or proceeding which will give to the people of this country, and to the people of Ireland, conclusive proof that we have not entered hastily or lightly upon a task of so much gravity; that we mean what we say, and that so far as depends upon us the task will be performed. Sir, under these circumstances it seems to me to be clear that we ought not to take issue with Her Majesty's Government upon the Motion which is now before the House. But when that Motion has been disposed of, our duty will not have passed away; on the contrary, it will come nearer and more near into view. We remember the words, the earnest and touching words with which the noble Earl the Chief Secretary for Ireland closed his address, when he expressed a hope and uttered a call inviting the Irish people to union and to loyalty. Sir, that is our object too, but I am afraid that as to the means the differences between us are still profound; and it is idle, it is mocking, to use words unless we can sustain them with corresponding substance. That substance can be supplied by nothing but by the unreserved devotion of our efforts now, in perhaps this last stage of the Irish crisis, to remove the scandal and mischief which have long weakened and afflicted the Empire. For that work I trust strength will be given us. If we be prudent men, I hope we shall endeavour, so far as in us lies, to make provision for the contingencies of a doubtful and possibly a dangerous future. If we be chivalrous men, I trust we shall endeavour to wipe away the stains which the civilized world has for ages seen, or seemed to see, upon the shield of England in her treatment of Ireland. If we are compassionate men, I hope we shall now once, and once for all, listen to that tale of sorrow which comes from her, and the reality of which, if not its justice, is testified by the continuous migration of her people; that we shall endeavour to—

> "Raze out the written troubles from her brain,
> Pluck from her memory rooted sorrow."

But, above all, if we be just men we shall go forward in the name of truth and right, bearing this in mind—that, when the case is proved and the hour is come, justice delayed is justice denied.

Mr. DISRAELI: Sir, the right hon. Gentleman, when he rose to-night, made a charge against the Government. He made, at the same time, an announcement of startling importance; for he told us that the crisis of Ireland had arrived, and that the measures of Her Majesty's Government had proved that they did not realize that fact. And as the right hon. Gentleman proceeded, it appeared that the crisis of Ireland which has just arrived was the culminating point of a controversy which had existed for 700 years. I could not but feel that I was indeed the most unfortunate of Ministers, since, at the moment when I arrived by Her Majesty's gracious favour at the position I now fill, a controversy which had lasted for 700 years had reached its culminating point, and I was immediately called upon, with my Colleagues, to produce measures equal to such a supernatural exigency. Sir, I was very anxious to know what could be the circumstances which had brought about a conjuncture so startling and unprecedented. I watched with interest the right hon. Gentleman as he proceeded; and when, as I thought, with dangerous candour, he began to intimate to the House the elements of this portentous crisis. It appeared that the first of the elements was the existence of Fenianism. But I am not aware that Her Majesty's Government are peculiarly responsible for the existence of Fenianism. When we acceded, under the auspices of Lord Derby, to office, two short years ago, Fenianism existed, and the suspension of the liberties of the people of Ireland had taken place under the auspices and advice of the right hon. Gentleman. He was himself a Member of the Government to whom the fatal secret of Fenianism was first communicated, and he came down to this House to propose those extra-legal remedies with which the country is now too familiar. This is the first element of the crisis. Therefore, so far as the first element of the crisis is concerned, the right hon. Gentleman did not feel at that moment the necessity of the violent course which he recommended at the conclusion of his oration this evening. But the right hon. Gentleman proceeded to say that there was another cause and another element which had produced this awful crisis. And what was that? It was Irish emigration which had brought about this critical state of affairs, and which called for these instantaneous and violent remedies. The right hon. Gentleman, however, himself admitted that the emigration from Ireland had somewhat subsided. There certainly was a time when the emigration was greater than it is at present, and when the announcement from Ireland of the thinning of its population excited alarm and apprehension in this House and throughout the country. And who was one of the Ministers, and one of the most influential Ministers of England during all that period? The right hon. Gentleman. With two of the elements of his crisis the right hon. Gentleman was as silent as a mouse the whole time. He never made this arraignment of the Church of Ireland, which, indeed, for many years he vindicated with so much eloquence and power of reasoning, and he never, for a moment, alluded to the critical state of affairs. There was also a third element of the crisis; and what was that? It was the education of the people of Ireland. But the people of Ireland were not educated only yesterday. The people of Ireland have had, for a considerable period, the advantage of a system of education under circumstances more favourable than the people of England have had. For thirty years, more or less, the people of Ireland have had great advantages of popular education, and the fruits of that education, certainly within the last ten years, have been very perceptible. But, although everybody is perfectly conscious of the beneficial effects of education in Ireland, the right hon. Gentleman, notwithstanding he was so conversant with all the consequences of education in that country, never came forward until now to state that the education of the people of Ireland necessitated the course which he has suddenly called upon the House to take. But there was one more element, and that completes all the ingredients of this awful crisis. And what is that? The Parliamentary Reform Bill which fortunately, and in spite of the efforts of the right hon. Gentleman, was passed last year. That is the fourth element of the crisis, and, in consequence of that, you are to destroy the

Irish Church. We will consider the question of the destruction of the Irish Church, if the House will permit me to address them, at the right time; but that is not the logical consequence of the passing of the Reform Bill for England. I draw from it a more logical consequence, for I think we ought to pass a Reform Bill for Ireland; and the House well knows, and the right hon. Gentleman himself admits, that Her Majesty's Government are prepared to introduce, and would have introduced to-night, had it not been for this debate, a measure with that object. These are the four ingredients which the right hon. Gentleman has brought before us, as accounting for a state of affairs which he describes as the crisis of Ireland, all the elements of the crisis being elements of a somewhat obsolete character, and having no evident relation to the course which he recommends.

The right hon. Gentleman proceeded to say he would be glad to have some information upon the subject of Ecclesiastical Titles and Railways; but really I think the House will permit me on this occasion, as the hour is late, and as we must touch on some subjects of more stirring importance, not to dwell upon topics of that kind to-night. Notice has been given of a Motion on the subject of Ecclesiastical Titles, and when it is made we shall be prepared to give the information the right hon. Gentleman seems to desire. Nor shall I enter on the subject of Irish railways. The right hon. Gentleman seemed to indicate that we had been somewhat negligent in pursuing that business. All I can say is, it is not an easy task at any time to form an efficient Royal Commission. We did form one. We lost no time, although it took much to form the Commission. I believe they have pursued their labours with great energy and ability; and in due course we shall be able to advise Parliament on the subject.

The right hon. Gentleman then directed his attention to the measures proposed by the Government, which he says show that the Government do not realize the position of affairs which constitute the crisis in Ireland. The first thing to which the right hon. Gentleman directed our attention was the measure — but I should not call it a measure, for it may not be necessary to legislate upon it— the intention of which we have intimated to Parliament, of recommending Her Majesty to grant a Charter to a Roman Catholic University in Ireland. The right hon. Gentleman raised an argument against that proposition, which, no doubt, may have had some effect on the House, upon an assumption that we had announced our intention to ask the House to endow that University. I certainly never heard of that intended endowment before. The noble Lord the Member for the county of Kerry (Viscount Castlerosse), who spoke early in the evening, attacked the Government because they were proposing a charter without an endowment. Certainly, my noble Friend the Chief Secretary for Ireland made no such preposition, nor was there any necessity for making a communication to Parliament on the subject, except the honourable engagement which the Government was under of not moving in the matter without communicating with Parliament. It is perfectly true that when the right hon. Gentleman opposite (Mr. Monsell) asked my noble Friend about endowment, my noble Friend said he would ask the House to pay what are called the University expenses, such as are paid for the London University. It is perfectly legitimate for the House to decide whether they will pay them or not. They are of no great amount; the charge for the London University being, I think, about £8,000 a year. I do not suppose that in this case any such sum will be required. It will be perfectly legitimate for the House, even if the charter is granted, to refuse to pay the expenses of a Roman Catholic University out of the public funds. The reason why we have proposed a charter for a Roman Catholic University has been very much misunderstood in the course of the debate. The hon. Member for Birmingham (Mr. Bright) said, on Friday, that it was our cure for Fenianism. I may be permitted to say, speaking for myself, and, I am sure for most of my Colleagues, that our intention to meet this want in the higher education of the Roman Catholic population of Ireland is of a date more ancient than Fenianism. I have expressed my sense of the necessity from the opposite Bench, and I believe the first words I gave utterance to when I took my seat on this side of the House conveyed an expression of my conviction that the higher education of the Roman Catholic population could not be left in its then unsatisfactory condition. Well, Sir, we have produced our measure, which we think is, on the whole, the most practical measure that could be devised, It is very easy for Gentlemen to say "You should have proposed a new University," or "You should have dealt with Trinity College," and to suggest other schemes of that kind. It is the same on all Irish subjects. When there is a want in Ireland, or a grievance to be remedied, there is a great deal of discussion, and to remedy the grievance and supply the want, schemes are proposed that are of a perfectly impracticable character. They may suit the student in the abstraction of his study; but when you come to deal with them in this House they cannot be carried. Therefore we have proposed that which we think can be carried and ought to be carried. I have not heard an objection to this proposition that will bear the slightest discussion. I admit I have heard many objections, and I am going to notice them. I will begin with the speech of the right hon. Member for Stroud (Mr. Horsman). It was a speech distinguished by inaccuracy of statement and fallacy of argument. I do not dwell upon the last two points, because the great advantage of debate is that inaccuracy of statement and fallacy of argument generally find their level before the debate is over. What I do object to is that the right hon. Gentleman made inaccuracy of statement and fallacy of argument the basis of virulent invective against a large body of Her Majesty's subjects, to whom Her Majesty's Government are ready to express their obligations, for the assistance received from them in the difficult task of governing Ireland under peculiar circumstances, and without whose co-operation I do not believe that, at any time, and under any circumstances, Ireland could be advantageously governed—I mean the Roman Catholic clergy of Ireland. Now, what did the right hon. Gentleman say upon the proposition which we made of giving a charter to a Roman Catholic University? We proposed to secure a Roman Catholic gentleman having the privilege of a University education from those who believe the same creed as himself; that he should have those advantages which are enjoyed by every Anglican and Presbyterian in Ireland, and should not be deprived of that which every sense of justice and propriety would, I think, make every Member of this House agree should be his right. The right hon. Member never for a moment contested that a Roman Catholic gentleman in Ireland had as much claim to a University education, under the influence of his own communion, as a Protestant gentleman had to be educated under the influence of his. That point he entirely evaded, but he said, "You are placing the education of that class of the Irish people which requires a higher order of education in the hands of the Ultramontane clergy." That was his accusation against us. Now, it is always difficult to deal in argument with epithets. "Ultramontane" is an epithet to which different persons will attach different meanings. [Sir GEORGE BOWYER: Hear, hear!] A man like my hon. Friend may attach his meaning to it; but I will take what is probably the coarse and popular use of that epithet, and I will ask the House to decide, whether there is any justice in the charges which were made by the right hon. Member for Stroud? I understood the right hon. Member for Stroud to say this—"So long as the general tone of the Irish clergy was influenced by Archbishop Murray, everything was what I approved of." I do not know whether the influence of Archbishop Murray was in the ascendant when the right hon. Gentleman was Secretary to the Lord Lieutenant. [Mr. HORSMAN: He was dead at that time.] Well, that does not affect the observations I am going to make. I only wished to know that. The right hon. Gentleman went on to say that the moment Cardinal Cullen took the reins everything was changed. Then we had excommunicating synods; then we had refusals of the Sacraments of the Church to those who disobeyed the injunctions of the Roman Catholic clergy on the subject of education. Then came the influence of the Ultramontane clergy, and it is to this clergy, and particularly to this prelate, that you are now asking the House of Commons to deliver up the education of the Roman Catholic youth of Ireland. I have not the honour of a personal acquaintance with Cardinal Cullen. I understand he is a distinguished member of the Liberal party. Whether his Eminence is of opinion that the progress of Liberal opinions under his powerful influence has operated generally in favour of the fortunes of the Holy Father is a question which I will not ask; but which I think Cardinal Cullen, in his solitude must sometimes have asked himself. Well, I had not the honour of a personal acquaintance with Archbishop Murray, but when I first entered this House one of its most eminent Members—a man never to be spoken of by me but with the greatest affection and admiration—I mean Sir James Graham—gave me a character of Archbishop Murray which impressed me almost with a sentiment of reverence. This, then was the satisfactory state of affairs so long as the priesthood remained under the influence of Archbishop Murray; but the moment Cardinal Cullen took the lead Ultramontane influence was introduced. Then came the Synod of Thurles. Then came the denunciations of the godless Colleges—so called even by the best Protestant in the world—and then all those circumstances of terror which the right hon. Gentleman stated the other night. But what are the facts of the case?—and if they are not facts I shall be glad to hear them contradicted. Archbishop Murray, instead of being dead, was alive at the time of the Synod of Thurles, and was present there. More than this, he was the individual who at this excommunicating and Ultramontane Synod proposed the very resolution which reprobated the institution of the godless Colleges. These are facts. I believe there is no doubt that Archbishop Murray was present at the synod of Thurles, and took an active part in the final decision, which was carried by a unanimous vote, that the Colleges founded by Sir Robert Peel were not entitled to the confidence of the Roman Catholic clergy. These are, I apprehend, indubitable facts; and, if so, what becomes of the Ultramontane romance of the right hon. Gentleman? Sir, I am of opinion that there is but one mode by which you can supply the grievous want that has been so long complained of by the Roman Catholics—namely, that they cannot enjoy the advantages of a higher education under the influence of their own priesthood—and that is by the establishment of a Roman Catholic University. And I want to know on what grounds of justice—of which we hear so much—can such a proposition be refused. We have just been told that the offer we are making will not be accepted by the Roman Catholic prelates. I say, "so much the worse for the Roman Catholic prelates if they refuse it." But how is such a circumstance, if it occurs, consistent with the charge made by the right hon. Member for Calne (Mr. Lowe) that we have taken this step merely to obtain the support and sympathy of the Roman Catholic prelates? And the right hon. Gentleman, in the same speech and in the same breath, accused us of flattering the Prelates, and told us that they would spurn our offer. Sir, we take the course which we believe to be the right course. It is very easy to frame other schemes, and nothing is more easy than to devise new Universities and to elicit cheers in this House by projects for revolutionizing Trinity College, Dublin. Trinity College, Dublin, is one of the noblest institutions in the United Kingdom. But if you are to delay the enjoyment of University education by the Roman Catholic population until they have settled their affairs with Trinity College, Dublin, or until some speculative plan for a new University is carried, why years and years will elapse without the Roman Catholic population having those advantages. Well, I think I have shown that one of those measures which the right hon. Gentleman says prove that we do not recognize the importance of the occasion, which is the Irish crisis, has been brought forward not as a cure for Fenianism, as the hon. Member for Birmingham (Mr. Bright) supposed — not as an attempt to obtain the support of Cardinal Cullen—who, I have no doubt, will be faithful to those with whose politics he sympathizes—but because, as Ministers of the Crown, it was our duty to do our best to supply a want that has been felt by a considerable portion of Her Majesty's subjects, and because in doing so we only followed the course which, when we sat on the other side of the House, we always expressed our wish to pursue.

Well, then, we come to the second measure which the right hon. Gentleman has noticed, relating to land; and I must venture to observe that those measures which are now dignified with the title of a great policy, brought forward in consequence of a crisis, are the measures which Her Majesty's Government would have brought forward in Parliament if Fenianism had not existed. And as for our having announced that we were going to declare our policy on the occasion of the Motion of the hon. Member for Cork (Mr. Maguire)—why circumstances prevented the House meeting with its usual regularity, and it was necessary to intimate, for the convenience of the House, what would be the probable course of Public Business. The Motion of the hon. Member for Cork was the Motion before the the House, and it was a convenient occasion for saying that when that Motion was proposed we should indicate the measures which we deemed it advisable to introduce. But there is not one of those measures which would not equally have been brought forward had Fenianism never existed, or if this extraordinary crisis, formed of elements that have existed for years, had never been announced or intimated by the right hon. Gentleman. Now, I come, Sir, to the land question. Will the hon. Member for Birmingham say that this is one of our cures for Fenianism? Why, on the land question, we stand in as clear a position as any party which ever attempted to regulate the affairs of this country. It must be sixteen or seventeen years since the Government of Lord Derby first introduced a Land Bill, and a Land Bill, allow me to say, which I have heard even hon. Gentlemen opposite, who take very extreme views on the subject, several times admit was a more efficient Bill than any ever brought before the House. I do not want to enter into a discussion upon the merits of a measure now defunct; but I allude to it to show that the course we are taking is that which we have always taken, and that whatever had happened in Ireland, or whatever might have been the temper of the House on that subject, we should have pursued the even tenour of our course and introduced a Land Bill. Well, Sir, last year we brought forward a Land Bill. I do not complain of the manner in which it was treated, for the House was absorbed by one great question, and could not give time for the consideration of the Land Bill. But all will admit that it was a moderate, sensible, well-intentioned, and excellent Bill, and that it would have been a fortunate circumstance had it passed. What has been our course in the present year? We took this principle—and I wish that everyone would take it in dealing with Irish politics—not always to attempt to do that which abstractedly may seem best, but to attempt to do that which is practical and practicable. And what is the course we have taken with respect to the land question? There were several points in the Bill brought forward by my noble Friend (the Earl of Mayo) last year which both sides admitted to be of an excellent character; and there were some points on which there was considerable controversy. We have taken those points which, after discussion, were by general consent admitted to be points which ought to be dealt with. We have taken those provisions which increased the leasing powers and secured compensation to the tenant; and we have added another provision, which will tend to substitute tenancies in writing for parole tenancies. These, by general consent, were admitted to be improvements, and we ask the House to legislate on them at once. I think that there is a disposition in the House to legislate with promptness in respect to them. But we say that, having done this, we do not think the subject is exhausted. There are still many questions of much importance connected with the tenure of land in Ireland which are very vague, but which are of considerable magnitude, so far as the evils complained of are concerned. For them, we say, let us revive, as it were, the Devon Commission, which was of very great advantage at the time it was in existence. First, let us practically realize the results of all those measures as to which sensible and temperate men on both sides of the House are agreed, but let us have further inquiry. An inquiry of that kind will be no excuse for non-legislation. I hope the Bill we shall introduce will become an Act before the Commission commence their labours, and therefore the insinuation that the proposition for a Commission is made because we wish to delay legislation on the subject is the very lees and refuse of factious insinuation. Consider what has happened since the Devon Commission. That was before the Deluge. It was before the famine, and before the emigration, and the Incumbered Estates Act. The Ireland of the present day is not the Ireland with respect to which the Devon Commission made recommendations. Therefore we say let landlords and tenants come and tell their tale, and let the Commissioners realize the consequences of the famine and the emigration. Sir, I cannot conceive that there can be any grounds for a Royal Commission more valid, more unquestionable, than those upon which we propose this Commission, which is not intended to obstruct or retard legislation; but is entirely supplementary to legislation, and is to inquire only on those very points which are not ripe enough for legislation. Then I say our policy as regards education and the land, but certainly as regards the land, is brought forward in no spirit of ostentation, but in the exercise of our duty. I think it is a sound and sober course, which the House of Commons ought to sanction and support, and that the House ought not to be deterred from a moderate but necessary—and, as we believe, practicable—course by this monstrous invention of a crisis in Ireland got up by the right hon. Gentleman opposite for the advantage of his party. When I say "got up by the right hon. Gentleman," I don't mean to say there may not be in Ireland many causes for our gravest consideration. To these I will address myself; but I say the right hon. Gentleman who has had the power of the Crown in large proportion for near a quarter of a century has never done anything for Ireland but make speeches in favour of the Irish Church. I say the Appropriation Clause was modesty in comparison with such tactics. Well, Sir, I have now told the House what is the course we propose with regard to the land, and so far as I could listen to the debate when we remove the bewildering effect of the tempestuous rhetoric with which it commenced and ended, I may say the House entirely agreed with us as to the course we propose to take in regard to land—the great question, compared with which, we have been told by a competent authority, all other questions are of no importance whatever.

I will now, if the House permit me, make an observation or two on the third question, on which so many Gentlemen have touched—namely, the Irish Church. Sir, the Established Church of Ireland is, I frankly admit at once, not in the condition in which I should wish to see a national Church. The condition in which I should wish to see a national Church would be this — that the whole population of the country should be in communion with it. That would be a perfect and completely national Church. But in a land where complete toleration fortunately flourishes that is not an ideal of a Church that will probably be ever realized. Well, then, we must advance to the position of an Established Church which is not supported by the whole population of the country, but by only a part of it. That, in my view, would still be a very great advantage. I think there is nothing that we should be more deeply impressed with than the importance of connecting the principle of religion with Government. If you do not connect the principle of religion with Government, you must reduce the power and degrade the character of Government. If you once divorce political authority from the principle of religion, I do not see what you can come to but a mere affair of police. If you admit that it is wise to connect the principle of religion with Government, the mind is naturally brought to endowment. It is the practical mode of carrying the system into operation. It gives a corporate character to the religious principles which influence men. A Church—an ecclesiastical endowment—a Church, whatever its character—for when I use the word "Church," I speak not only of the Church of this country, or even of the Roman Catholic Church, but of any body of religious men who have an organization—such a Church steadies faith. It is a bulwark alike against incredulity and fanaticism, and I do not myself practically see how such a state of things can be carried on unless you adopt the system of endowment. I should say so particularly with regard to this country, because the spirit of our legislation of late years has extended into so many subjects—into education, charity, the reform of criminals, and other matters—which it seems to me utterly impossible to carry into effect unless the State has at its command the active and dignified co-operation of a body of men like the clergy, set apart for such noble and spiritual purposes. The hon. Member for Birmingham confessed this principle in that speech which I listened to with pleasure, as I listen to all his speeches—at least, generally. The great feature of that speech, which was most adroitly conciliatory, was to contest the principle of endowment. That was the hon. Member's principle. He said that the grievances of Ireland were on the carpet for discussion at present. The hon. Gentleman said, "My remedy is prepared and prompt. Disendow the Church, and the whole thing is settled." But the hon. Gentleman says you must do this not merely because it will settle the grievances of Ireland. That is not the only reason why he recommends disendowment, but because endowment is opposed to the spirit of the age. The oration of the hon. Member commended itself to the attention of every person who heard it, because, when dangerous or at least novel opinions are proposed, it is highly important that they should be brought forward by men of intellect and eloquence, so that we should know what it is intended to propose, and they should not be mumbled on the back Benches by a man of whom, when a revolution comes, and when he turns out to be a Robespierre, everybody would say, "What dangerous opinions he utters, and what disastrous results they have entailed. Who would have supposed when we sat for ten years with him in the House of Commons, that he would have proposed measures that have revolutionized the country?" Here, however, a great orator comes forward with new opinions which are to be recognized in England, and it is a great advantage that having such a command of expression and so many charms of eloquence he can really let us know what is to be proposed. Sir, the right hon. Member for South Lancashire is always eloquent—that he cannot help—he is always earnest, which, they say, is charming; but he is only a convert to these principles. I quite believe that the hon. Member for Birmingham tells us truly that his training has given him great advantages in forming an impartial opinion upon these subjects—that from the first he has been thinking of them—that he has since been deeply musing over them, and that now he has burst into eloquence, and has announced the new Evangelism to the House of Commons. Well, Sir, I am in favour of the principle of endowment, and the hon. Member says that that is a principle opposed and hostile to the spirit of the age. I agree that if endowment is opposed to the spirit of the age it will fall. It becomes the House well to consider this subject, is it opposed to the spirit of the age? I will not argue the question on the "spirit of the age," it is too vague an expression for our practical debates. I will ask, is endowment opposed to the character and disposition of the inhabitants of these isles? No doubt that character and disposition must be influenced in some degree by what is called the spirit of the age, but it is stronger than the spirit of the age; and we must consider this question as representatives of public opinion — not of the public opinion of Europe, not of public opinion in any cosmopolitan sense, but of the opinion of those whom we represent. Well, Sir, I admit that there is a very active party in this country, opposed to endowment—an organized, an intelligent, and so far as their private life is concerned, an eminently decorous and praiseworthy party. But that party is not the creation of the spirit of the age. The Nonconformists are not the creation of the spirit of the age; they are in many instances the descendants, and certainly the representatives, of people entertaining the same opinions two centuries ago. They were opposed to ecclesiastical endowments in the days of the Stuarts, they are opposed to ecclesiastical endowments in the days of Victoria. In the days of the Stuarts, even when they were successful and triumphant, they were only a minority of the people, and I believe they are only a minority of the people now. But the Nonconformists in the present day have allies that in the days of the Stuarts they did not possess. They have a body, very limited in number, but very influential from their intellect, and from another cause to which I will advert in a moment —I mean the philosophers. Now, the philosophers must always be very limited in number, but they are necessarily, from their character and pursuits, men of great intellect and intelligence, and they always exercise a great influence over the press. They exercised a great influence over the press before the French Revolution by means of the Encyclopædia, and in England, at the present day, there is scarcely a leading article that strikes you, that you may not almost always trace to a philosopher. The philosophers assist the Nonconformists, and though they have not a single point in sympathy, this union between the Nonconformists and the philosophers make a most active and influential body in the State. It becomes the House of Commons, however, when they hear speeches like that which they have just heard from the right hon. Member for South Lancashire (Mr. Gladstone), adopting opinions which he cannot have shared for many years; but which he recommends to us with the ardour of a convert, it becomes them not to be hurried away, but clearly, if possible, to comprehend the scene, and not to be precipitately carried on to resolutions under the idea that they are acting in harmony with public opinion. I say that looking to the general character of the people in both islands, it is a religious people. Notwithstanding much that may have occurred of late years which may not apparently be in accordance with that opinion, I say that if you take a general view of the character of the people of England, they are a religious people. It is unquestionable that the Scotch are a religious people. But if there be a people which may be described as the most religious people in the world, it is the people of Ireland. It is not there even an affair of race, for whether a man be a Presbyterian, or an Anglican, or a Roman Catholic, religion is one of the great elements of his life, and not a day passes without his religious convictions exercising an immense influence over his actions. Now I say a religious people will always be in favour of ecclesiastical endowments. They may quarrel among themselves upon particular points, but a religious people will always be in favour of corporations that give importance and precision to their convictions. And, therefore, I think we are embarking in a very dangerous course when, at a period at which no one could have anticipated it, a right hon. Gentleman of the great standing in the country of the right hon. Gentleman the Member for South Lancashire comes forward suddenly, as it were from ambush, and announces not merely that he proposes to destroy the institution which he has himself so often advocated, and which he has told us to-night has existed from the time of the Tudors; when we are invited to adopt this policy in deference to the principles of a greater master on this subject, who has fairly, and, I must say, with the honourable candour which I believe, is part of his character, told us what is the great issue at stake—namely, whether we should terminate in this country all ecclesiastical endowments. Now, I want the House to realise the gravity of the question they are called on to decide. Do not, in consequence of the state of Ireland, arising from the development of the Fenian conspiracy, and the necessity, as I am frequently reminded, of "doing something," allow yourselves to be hurried into a decision which, if carried out and followed to its consequences—as it most assuredly will be—must give a new colour to your society and alter all the principles upon which you and your forefathers for years have acted. This is one of the gravest questions which can be brought before the consideration of public men. You are public men; you are men all of great intelligence, and many of you of eminence. You make a Senate that the world speaks of with pride, while it recognizes your attributes with a consciousness that your conduct elevates the general character of human nature. But remember that you are something more than senators. You are representatives of a nation, and of an ancient nation, and I deny your moral competence to come to a decision such as that which the hon. Member for Birmingham has recommended, and such as the right hon. Gentleman the Member for South Lancashire is prepared practically to carry out—I deny your moral competence to do that without an appeal to the nation. I say it is a question upon which the country can alone decide, particularly under the circumstances at which we have now arrived. You cannot come, on a sudden, and without the country being the least informed of your intention, to a decision that will alter the character of England and her institutions. You cannot come in this off-hand manner to such a decision as that. Why, look at what you are doing. You are asked to take a course to-night which will effect a revolution in this country. I am not taking now the limited issue to which the right hon. Gentleman conveniently confined himself. I take the broader issue laid down by the great master of this subject, and upon which England and Ireland probably will soon have to pronounce. How have you been introduced to this discussion? The Liberal party have been in power for more than a quarter of a century. Have they prepared the mind of England upon this question? Have their Leaders risen from the seats of authority and told the people that the great principles upon which the society and even the political condition of the country are founded are erroneous? You and your forefathers and generations before them, and long centuries of men, have built up this great realm of England. You have acknowledged, you have encouraged, you have supported, you have stimulated, you have lived and acted under the influence of ecclesiastical endowments, and have you during all that time in any way guided public opinion to doubt the propriety and wisdom of that system—of that great, and beneficent system under which you were born and which your forefathers created? Not a syllable of the kind. We have had a great deal of political economy, commercial treaties with France, repeals of restrictive laws, efforts made, and successful efforts, to promote the comforts and convenience of the people; but not a word was ever uttered for the last twenty-five years by the party that have enjoyed a monopoly of power in this country to form the mind of the people upon this great issue, upon which they ought not to give a decision in the perfunctory manner they are asked to do to-night. At the last General Election the Liberal party had been seven years in power, and during those seven years not a single word ever issued from the lips of any person in authority—certainly not from the lips of the right hon. Gentleman the Member for South Lancashire—that he had a doubt of the wisdom of the cardinal principle upon which our whole social system is founded. You were led by a Prime Minister who had the advantage, which I also enjoy, of being a Member of this House, which certainly gives one an advantage in ascertaining public opinion, and interpreting the popular currents which ought to influence. Did Lord Palmerston ever come forward and say that, in his opinion, all ecclesiastical endowments are a mistake and ought to be done away with? Why, I remember Lord Palmerston's last address to his constituents. It is a great advantage which a chief Minister in this House has at a dissolution of Parliament, that he can address his constituents; if he is in the other House he has not that advantage. There is a degree of popular sympathy at the command of a Minister in this House, and he has a ready means of expressing his opinion and of obtaining that of the people. Does anybody remember Lord Palmerston's address to his constituents? I recollect it—there was not much in it. But I will undertake to say that Lord Palmerston did not intimate to the people of England that a great revolution was impending, and that the principle of ecclesiastical endowments must be given up. Therefore I say it would be indecent for the House of Commons to attempt to come to a decision on this great question, unless we could place before the Nation the enormous issue at stake. I should have thought the best course would have been to dispose of the necessary business of the Session, as was the intention of the Government, and hasten—as I am prepared cheerfully to hasten—to that appeal to the enlarged sympathies of our countrymen which fortunately the Bill passed last year has secured for us. But the idea that this House of Parliament is to decide upon the question of continuing ecclesiastical endowments or not seems to me to be one too preposterous for a man of sense, having opportunity to consider it for a moment, to debate. What security have you that on the hustings you will not find this issue for your consideration if you adopt the suggestion of the right hon. Gentleman? The electors may naturally say "You have changed the whole framework of our social system, you have decided on the most important principle in politics, without consulting us, the great body oft he Nation as opposed to the limited constituency which sent you to Parliament, and we question the justice and the propriety of what you have done." It will be certainly an agreeable thing to have such a contest between the old and the new constituency. Therefore, in my opinion it is impossible to deal with this question at the present time. Technically, no doubt, Parliament has power to do so. But, Sir, there is a moral exercise of power as well as a technical, and when you touch the fundamental laws of the country, when you touch the principles on which the most ancient and influential institutions are founded, it is most wise that you should hold your hand unless you have assured yourselves of such an amount of popular sympathy and support as will make your legislation permanent and beneficial. I have not made this observation because I wish to screen myself in the shadow of silence; when I say we cannot come to a division upon such a momentous question without appealing to the country, I have no wish to take advantage of that position and decline to give my opinion until that appeal has been made. I am in favour of ecclesiastical endowments; I believe they have contributed greatly to the welfare of this country. I believe they are one of the greatest securities of civilization, and that they are beloved on the whole by the population of both islands. With regard to the particular ecclesiastical endowment, to which the hon. Member for Birmingham did not confine himself, but to which the right hon. Gentleman the Member for South Lancashire at present confines himself, I hope this House, or the next House of Parliament, will hesitate as to the course which it may adopt. No one pretends that the material effect of that endowment is not advantageous to Ireland. I am not, of course founding any argument for the maintenance of the institution upon considerations merely of that kind; but, when considering the condition of Ireland, which is the subject of the Motion before the House, it is necessary that we should look at the probable effect upon Ireland of the destruction of the Established Church, in a material point of view, I say there is no doubt that such a measure would be very injurious. It would deprive a country, which complains of an absentee proprietary, of many residents, men of character and of some affluence, whose general social action is admitted by all to be beneficial. What always strikes me as a general principle with regard to Ireland is, that you should create and not destroy. If the Church of Ireland were violently abolished, in my opinion you would add immensely to the elements of discord in that country. I have yet to learn how the abolition of such an institution could take place by other means than violence. Violence and confiscation! Why, the history of Ireland has had too much of these. They are the very evils which we all deplore. And yet the panacea for all the ills of Ireland—and the prompt means of changing Governments—is, according to the views which we have heard in this debate, to enter upon a course which must be accompanied by violence and spoliation. I therefore object to any proposal for the destruction of the Established Church in Ireland—which must add to the grievances of that country. At the same time, I reserve to myself the right of considering the labours of that Commission which the right hon. Gentleman (Mr. Gladstone) has treated in a manner so deficient, I thought, in courtesy to its noble Author. Throughout these proceedings we have been accused of being the authors of the Royal Commission to inquire into the state of the Irish Church. We have been charged with having proposed it as a means of delay; but the manner in which it has been treated by hon. Gentlemen opposite, and by late Colleagues of a noble Earl, the Author of a celebrated pamphlet on the subject, is perfectly amazing. The right hon. Gentleman the Member for Louth (Mr. C. Fortescue) informed us the other night that the Commission was proposed without the slightest intention of influencing public opinion. Now, I should call such conduct on the part of the noble Earl deceptive, if I were to borrow words which I have heard were used in "another place." But I hope that, so long as I may have any part in the conduct of the business of this House, there will be one House of Parliament, at least, that may be a model of manners. I will say therefore, nothing rude of an august Assembly that seems for a moment to have lost that perfection of demeanour which we once thought it possessed. I say, then, that this question is one that must be decided by the country; but I will take no refuge under that declaration. I recognize the importance of ecclesiastical endowments, and I think it would be a fatal mistake to follow the advice of the right hon. Gentleman (Mr. Gladstone) and terminate the existence of the Irish Church. Sir, I say again I reserve to myself the right of availing myself of the information of the Royal Commission. I think that the scope of their inquiry is much larger than it is convenient for some Gentlemen to acknowledge, and I believe its inquiry may be a source of great improvement and public advantage. Nor do I wish to conceal my strong opinion that we are approaching the time when there must be a change in the status of the unendowed clergy of Ireland. I do not mean by that to say I am in favour of what is called "paying the Irish priests." I am not in favour of paying the Irish priests; and I am quite sure that the Irish priests are perfectly sincere in their declarations that they would not consent to become stipendiaries of the State. I am unwilling that any clergy should be stipendiaries of the State. I think that such a position lessens their independence and impairs their influence. That scheme will not have our support. I believe the Irish Roman Catholic Bishops and clergy are perfectly sincere in their declarations on the subject, because I think there is wisdom in that declaration; and in stating my belief that the time is fast arriving when there must be a change in the status of the unendowed clergy, I am not referring to any such arrangement as is indicated in that scheme. I will not take refuge in the jokes of Sydney Smith on the subject. I think a manifesto such as has appeared in a political organ of authority as a re-production of those flippant and heartless observations which might have had, to a certain extent, some practical application five-and-thirty years ago—a very unfortunate thing; because the time is gone by for such arrangements, as it has gone by for such an arrangement as, in his matured wisdom, Earl Russell announced as the result of his unparalleled experience, when he intimated that the Young Ascanius here was the only man who could carry that policy into effect. Though I am prepared to uphold the principles I have stated, though I should be sorry to see anything in Ireland destroyed, I do not believe that the Irish Established Church will remain with respect to the other portions of the population—with regard to the clergy of the other portions of the population—in the identical position which she now occupies. If you ask me what I mean, I will be as precise as any of you have been. I have been reminded in the course of this debate of expressions which I used five-and-twenty years ago, I could remind other Gentlemen of expressions they used on the same subject five-and-twenty years ago; but I do not much care for that sort of thing. With reference, however, to that passage which has been quoted from a speech made by me, I may remark that it appeared to me at the time I made it that nobody listened to it. It seemed to me that I was pouring water upon sand, but it seems now that the water came from a golden goblet. With regard to the passage from that speech, there are many remarks which, if I wanted to vindicate or defend myself, I might legitimately make. I might remind the House that speech was made before the famine and the emigration from Ireland, and the whole of that passage about the starving people and the amount of population to the square mile no longer applies. I might remark that speech was made before the change in locomotion, and the sale of a large portion of the soil of Ireland, which has established a resident proprietary instead of an absentee aristocracy. Though, so far as I can collect, the absentee aristocracy seems more popular than the resident proprietary. All this I might say; but I do not care to say it, and I do not wish to say it, because in my conscience the sentiment of that speech was right. It may have been expressed with the heedless rhetoric which I suppose is the appanage of all who sit below the gangway; but in my historical conscience the sentiment of that speech was right. Perhaps I ought to apologize to the House for alluding to history. We have been told by a great authority in this debate, that there must be no more history introduced into discussions, and I observe that the right right hon. Gentleman (Mr. Lowe) has been wandering about the country during the Recess delivering lectures against the study of history. But, Sir, Irish policy is Irish history, and I have no faith in any Statesman who attempts to remedy the evils of Ireland who is either ignorant of the past or who will not deign to learn from it. In my opinion a policy in Ireland of conciliation which is to commence by outraging the feelings and humiliating the pride of 1,500,000 men—most loyal, most intelligent, very wealthy, and high-spirited—is not a wise policy. It may be a party triumph, but it will not, in my mind, tend to the national welfare. I apprehend, from what has fallen from the right hon. Member for South Lancashire (Mr. Gladstone), that the hon. Member for Cork (Mr. Maguire) will not call for a division. If he did I should certainly oppose his Motion, because I see no practical result that could arise from it. What the Government proposed to do they can do without going into Committee on the state of Ireland. Let me briefly recapitulate what they are prepared to do. Notwithstanding the sneers of some hon. Gentlemen, I trust a Charter will receive Her Majesty's sanction, with the approbation of the House, to institute a Roman Catholic University. We ask for no endowment. If the House of Commons will not grant to the Roman Catholics of Ireland the assistance which they give to the London University, which boasts, I believe, of not being a religious body, the Roman Catholics of Ireland, who have outlived the penal laws, will probably be able to survive that infliction. I have told you what we are prepared to do with regard to the land—immediately to legislate upon all those practical points of importance upon which leading men on both sides are agreed, and after we have legislated to institute authoritative inquiries upon all those points of controversy upon which leading men are not agreed. We will also introduce within a few hours—what we should have introduced to-night if we had had the opportunity—a Reform Bill for Ireland, which will greatly add to the popular privileges of the people of that country. There are many of my Friends—I will not say of my Friends, but Members of this House—who look with apprehension upon a measure of that kind. I do not, because I believe we are on the eve of a policy for Ireland which will reconcile races, settle a community, and terminate the sorrows of afflicted centuries.

Mr. BRIGHT: Will the House allow me one word in explanation? I did not wish to interrupt the right hon. Gentleman in his speech. I wish to state he entirely misrepresented one sentiment he attributed to me, and having misrepresented me, he tried to tie up the right hon. Member for South Lancashire (Mr. Gladstone) with me in that sentiment. The "spirit of the age" was not the phrase I used, and what I said about Earl Russell's pamphlet was, that it was politically just, but was published forty years too late; and that the time had gone by when it was possible in this country to create a new State Church and new endowments. I went no further than that. I thought it due to myself to make this explanation.

Mr. MAGUIRE had intended asking the indulgence of the House while he offered a few explanations; but he would withdraw his Motion, being quite satisfied with the results.

Amendment and Motion, by leave, *withdrawn.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

1. *Resolved,* That a sum, not exceeding £79,829 2*s.* 7*d.*, be granted to Her Majesty, to make good Excesses on Grants for the following Civil Services, for the year ended on the 31st day of March 1867: viz.—

	£	*s.*	*d.*
Office of Works, &c.	1,199	14	3
Inspectors of Factories, &c.	562	10	7
Quarantine Expenses	306	15	7
Printing and Stationery	16,831	2	8
Law Charges, England	2,507	7	1
Admiralty Court Registry	243	1	7
Exchequer, Scotland, Legal Branch	393	10	1
Law Charges, Ireland	9,285	10	4
Bankruptcy Court, Ireland	1,182	0	0
Maintenance of Prisoners	17,774	13	0
Pitcairn's Islanders	87	5	10
Special Missions	10,224	17	5
Relief of Distressed British Seamen	16,942	17	7
Ecclesiastical Commission	202	6	3
Miscellaneous Expenses, formerly Civil Contingencies	241	1	0
Anglo-Chinese Flotilla	1,844	9	4
Total	£79,829	2	7

2. *Resolved,* That a sum, not exceeding £8,381 1*s.* 1*d.*, be granted to Her Majesty, to make good Excesses on the Grant for Salaries and Expenses of the Inland Revenue Department, for the year ended on the 31st day of March 1867.

3. *Resolved,* That a sum, not exceeding £1,089 13*s.* 8*d.*, be granted to Her Majesty, to make good Excesses on the Grant for the Post Office Packet Service, for the year ended on the 31st day of March 1867.

£134,000, Civil Services, Supplementary Estimate, 1867-8.

Mr. CHILDERS complained that there had been a departure from the Treasury Minute in this respect, and asked for an explanation. The proceeding was irregular, and the Supplementary Estimate ought to be included in the regular Estimates of 1868-9.

The CHANCELLOR of the EXCHEQUER agreed that the charges of the Civil Service should, as a rule, be defrayed out of the money voted during the current year. The excess in this case, however, was occasioned by the expenditure under several Acts of Parliament passed during last year. Thus, there were the expenses of the Boundary Commission, the Railway Commission, and the Trades' Union Commission, and, above all, the expenses arising out of Fenian prosecutions. These charges made the demand upon the Civil Contingencies Fund greater than it could bear. The Government had only taken the constitutional course in laying the Supplementary Estimate on the table.

4. *Resolved,* That a Supplementary Sum, not exceeding £134,000, be granted to Her Majesty, for the following Civil Services, which will come in course of payment in the year ending on the 31st day of March 1868: viz.—

	£
Landguard Point—Works	2,000
Inspectors of Factories, &c.	5,000
Quarantine Expenses	4,000
Law Charges, England	11,000
Law Charges, Ireland	36,000
Court of Chancery, Ireland	14,000
Maintenance of Prisoners	12,000
Temporary Commissions	21,000
Local Dues under Treaties of Reciprocity	11,000
Agricultural Statistics	8,000
Cape Haytien Bombardment — Compensation	4,000
Shannon River Survey	6,000
	£134,000

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

House adjourned at Two o'clock.

* * *

HOUSE OF LORDS,

Tuesday, March 17, 1868.

MINUTES.]—Select Committee—On Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod *appointed.*

Public Bill—*First Reading*—Friendly Societies* (43).

IRELAND—QUARTER SESSIONS COURTS.

QUESTION.

The Marquess of CLANRICARDE rose to ask, Whether the Government object to the Appointment of a Select Committee of this House to inquire into the Constitution, Jurisdiction, and Procedure of the Quarter Sessions Courts in Ireland, with a View to their Improvement, and to the further Assimilation, so far as may be expedient, of the Civil Bills Courts to the County Courts of England and Wales?

The LORD CHANCELLOR said, that last year an Act was passed giving effect to the Report of the Commissioners who were appointed to inquire into the duties and the position of the officers employed in the Superior Courts in Ireland, and the changes which had been recommended by the Commissioners in reference to that matter had been carried into effect, and therefore nothing remained to be done which was recommended to be done. With respect to the Civil Bills Courts procedure in Ireland, he had to observe that two years ago an Act was passed which considerably altered the procedure of those Courts ; and one of the alterations was that the decrees of those Courts should be executed by the sheriffs. Now, in practice it had been found that the officers of the sheriffs could not be compelled to perform those duties, and some inconveniences had consequently arisen. There was no doubt that in Ireland there had recently sprung up a considerable desire for an enlargement of the jurisdiction of the Civil Bills Courts; and in his opinion great benefit would be derived if the same jurisdiction in equity was given to those tribunals which was possessed by the County Courts in England and Wales. It was only recently, however, that any complaints had been made upon the subject, and the Government did not propose to introduce any Bill with respect to it. But if the noble Marquess should move for a Committee to inquire into the matter, and if their Lordships should approve of such a proposal, no objection would be offered to it by Her Majesty's Government.

THE BOUNDARY COMMISSION.

QUESTION.

In reply to Lord STANLEY of ALDERLEY,

THE EARL OF MALMESBURY said, that the Report of the Boundary Commissioners would very shortly be laid before Parliament.

IRELAND—THE ESTABLISHED CHURCH.

QUESTION.

LORD STANLEY OF ALDERLEY asked, When the Report of the Royal Commissioners appointed to inquire into the state of the Established Church in Ireland would be presented to the House, as he understood a Chairman had been appointed only a few days ago. He wished to know what progress had been made by the Commissioners ?

EARL STANHOPE said, that being a Member of the Commission, it might perhaps be most convenient that he should answer the Questions. The terms of the Commission were laid upon the table on the first day of the Session of Parliament, and they had been printed and circulated amongst their Lordships. He might add that no time had been lost by the Commissioners, who, at their first meeting, believing it would be desirable to collect all the information they could in Ireland, appointed a sub-Committee to proceed to that country, and that sub-Committee had already collected a large mass of information, which the Commissioners would proceed to consider at their next meetings.

LORD STANLEY OF ALDERLEY asked, Whether it was not true that the Commission was appointed during the last Session of Parliament, and whether the proceedings of the Commission had not been delayed ?

EARL STANHOPE said, the noble Lord had been singularly misinformed in reference to that matter. The Commission might have been intended in the last Session of Parliament, but it was not actually appointed until the present Session, the exact date which it bore being the 30th of October last. It was only since that time therefore that the Commissioners could apply themselves to the duties intrusted to them. When the proceedings of the Commission should become known to their Lordships, it would be found that the noble Lord had spoken rather hastily, and that no imputation of delay—thus far at least—could attach to himself or to his Colleagues.

FRIENDLY SOCIETIES BILL [H.L.]

A Bill to amend the Laws relating to Friendly Societies and to small Government Annuities and the assuring of Payment of Money on Death—Was *presented* by The Earl of LICHFIELD ; read 1ª. (No. 43.)

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD.

Select Committee on appointed : The Lords following were named of the Committee :—

Ld. Chancellor	Ld. Steward
Ld. President	E. Devon
Ld. Privy Seal	E. Carnarvon
D. Richmond	E. Kimberley
M. Salisbury	V. Sydney
M. Bath	V. Hawarden

V. Eversley	L. Redesdale
L. Colville of Culross	L. Colchester
L. Ponsonby	L. Stanley of Alderley
L. Foley	L. Cranworth

House adjourned at half past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 17, 1868.

MINUTES.]—Select Committee—On Grand Jury Presentments (Ireland) *appointed;* on Shannon River *nominated;* on Poor Rates Assessment, &c. Mr. Woodd and Mr. Shaw-Lefevre *added;* on Lee River Conservancy *nominated.*

Supply—*considered in Committee*—Army and Navy Estimates.

Resolutions [March 16] *reported.*

Ways and Means—*considered in Committee*—Consolidated Fund (£362,398 19*s.* 9*d.*)

Public Bills—*Ordered*—Elementary Education; Reformatory Schools (Ireland)*; Contagious Diseases Act (1866) Amendment.*

First Reading—Elementary Education [64]; Reformatory Schools (Ireland)* [65].

Second Reading—County Courts (Admiralty Jurisdiction) [33].

Committee—Sea Fisheries* [42]; Fairs (Ireland)* [48].

Report—Sea Fisheries* [42]; Fairs (Ireland)* [48].

Considered as amended—Compulsory Church Rates Abolition [59].

PRIVATE BILL LEGISLATION.

RESOLUTION. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [18th February],

> "That the Committee of Selection may, if they think fit, refer any Private Bills to the Referees, instead of to a Committee of the House, with power to the Referees to inquire into the whole subject-matter of such Bills, and to report them, with or without Amendments, to the House."—(*Mr. Dodson.*)

Question again proposed.

Debate *resumed.*

Lord HOTHAM said, the Chairman of Ways and Means proposed to leave to the Committee of Selection the discretion of sending any Private Bill to a Committee of Referees instead of to a Committee of the House. That at once raised the question of the number who should compose the Committee of Referees. He did not wish it to be supposed that he had any complaint to make with respect to the conduct of the Referees. These gentlemen, he thought, had done their duty very diligently and effectually, and he would leave undisturbed in their hands all questions of *locus standi.* He had heard many complaints brought against the Committees. For instance, it was alleged that a Chairman must either be very inefficient or very stupid who could not secure the adhesion of one member to his own particular views, and in that case the whole case was entirely in his hands. This arose from the Chairman having a double or casting vote. A Committee of five would work much better than a Committee of four, and it would get rid of the objectionable double vote of the Chairman. The Committee of Standing Orders had come to the unanimous conclusion that, instead of having a Court of Referees as it had existed for a short time, or as it was proposed to establish it, it would be better that Private Bills should be referred in the ordinary manner to Committees, which should consist of four Members of the House and a Referee, and that every Committee should have the advantage of the presence and assistance of a Referee, who should have a vote, but the Chairman always to be a Member of the House. He could see that, were a Committee composed of two Members of the House and two Referees, difficulties would arise; because in cases where differences of opinion arose it would be inconvenient to discuss the question in the House where the Referees could not attend to uphold their decision. With the concurrence, therefore, of the Committee on Standing Orders, he had resolved to move an Amendment to the Resolution of the hon. Member the Chairman of Ways and Means.

Amendment proposed,

> To leave out from the word "may" to the end of the Question, in order to add the words "refer any opposed Private Bill, or any Group of such Bills, to a Committee consisting of Four Members and a Referee,"—(*Lord Hotham,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Colonel WILSON-PATTEN said, as he was supposed to be the father of the Court of Referees, he wished to say a few words. The Standing Order which was now under discussion was debated by the House under very different circumstances to what they were now placed in, and a larger number of Members of the House had recently been elected who had no knowledge of the defects and inconveniences of the old system. The Court of Referees was established in 1865, and had saved much time and expense. At the time when it was instituted there were no less than 600 Private Bills before Parliament, and the Committee of Selection experienced the greatest difficulty in appointing Committees to try them. After considering the matter a small number of Members who took interest in the Private Business of the House unanimously adopted a Resolution that the organization of the Committees was very defective; that it was totally impossible to transact Private Business in a satisfactory manner owing to its great extent, and that it was highly desirable that some improvements should be effected. Although in the present Session there was less Private Business than in any Session for the last ten years, it would be unwise for the House to revert to the old system, under which, in nine cases out of ten, they had a tribunal which was weaker than the Bar practising before it. The consequence was, that talented lawyers induced the Committees to come to almost any vote they liked, and the most contradictory decisions were given. The time of the Committees was, moreover, occupied with the most frivolous examinations regarding matters that had no particular bearing upon the point at issue. It had therefore been arranged that these Bills should be separated into two parts—one relating to the public merits of the Bill, and the other to the construction of any works under it; and it was recommended that all the statistics and the engineering points should be inquired into by a distinct tribunal. That created a double inquiry, which was no doubt attended with some inconvenience; but, on the whole, the Court of Referees had answered the purpose for which it was instituted, having effected a very great saving of time and expense. Previous to the establishment of the Court of Referees, the most extravagant expense was caused to the promoters of Private Bills. One railway company, for instance, spent £52,000, not in carrying a Bill through Parliament, but in defending itself against the attacks of other companies, not one-tenth of which would have been expended had the Court of Referees been in existence. Another company had incurred an expense of upwards of £60,000. He would therefore strongly urge the House not to go back again to the old system. Inclosure Bills and Pier and Harbour Bills were now dealt with entirely out of that House, and yet that class of improvements were as numerous now as they had previously been. He was perfectly convinced that the fears of his right hon. Friend the Member for Oxfordshire (Mr. Henley), that if they referred Bills to a tribunal not composed of Members of that House they would prevent many good works from being executed, were entirely groundless. He did not see, if they got a good tribunal, and if the House was represented by one experienced Member in that tribunal, why the House should feel less confidence in it than in a tribunal entirely composed of its own Members. The old system was discreditable; and he thought that if they acceded to the proposal of the Chairman of Ways and Means, they would secure to the House every proper control which it ought to possess. He should support that Gentleman's Motion if it were pressed to a division.

MR. MILNER GIBSON said, he thought it very important for the House to keep the control of private legislation in its own hands, and not delegate it to Referees, as was proposed. Committees of the House, and he believed a Royal Commission, had recommended that the House should not part with its jurisdiction to any judicial tribunal, or to any tribunal not composed to some extent of Members of the House. He did not understand upon what principle a selection was to be made. What were the Bills to be referred to an ordinary Committee of the House? and what were the Bills that were to be referred to the Court of Referees? He understood that the Bills to be referred to the Court of Referees would not be measures of first-rate importance, containing matters involving any new policy. Such Bills were to go to the ordinary Committee; and that the Bills to be referred to the Court of Referees would be rather of a routine nature, of which the Court of Referees could dispose. He did not think that point had been made clear, and he begged of his hon. Friend to explain it. He (Mr. M. Gibson) had been always of opinion that the establishment of a Court of Referees to find facts for another Committee was a bad arrangement, and any experience they had previously showed that it would not work efficiently. He believed that the Court of Referees had employed itself in minute inquiries into facts that might not be considered material by the Committee on the Bill, and therefore unnecessary expense was thrown upon the parties. He would offer an Amendment, to the effect that the Court of Referees should consist of four, and that not less than three of the four should be Members of the House. That would be midway between the proposal of his hon. Friend (Mr. Dodson) and of the noble Lord (Lord Hotham).

MR. WHITBREAD said, that he was glad to find that all the Gentlemen who had Amendments on this subject upon the Paper were opposed to the system of double inquiry. There were three proposals before the House: that by the Chairman of Ways and Means for a Court of two Members and two Referees; that of the noble Lord for one of four Members and one Referee; and that of the right hon. Member for Ashton-under-Lyne for three Members and one Referee. He would consider all three proposals. It was feared that in practice it would be impossible, under such a system as that proposed by the Chairman of Ways and Means, to prevent parties interested in the questions decided by the Referees from bringing them back to the House for discussion, and it was on that account that he preferred the plan of the noble Lord. Again, he reminded the House that the number of Members serving on Private Bill Committees was reduced from five to four, simply for the purpose of relieving the House; and the operation of the new system had shown the force of the argument made use of when it was first proposed, that the reduction would throw too much power into the hands of the Chairman. The objects of appointing Referees were to relieve the House of a certain part of its business, to secure certain engineering knowledge in the examination of plans, and above all, to secure similarity of decisions; and this last mentioned purpose would be provided for by the appointment of a Referee upon each Committee according to the noble Lord's proposal. If the House adopted the Amendment, a sufficient number of Referees had already been appointed to enable the experiment to be tried at once, whereas the plan of the Chairman of Ways and Means could not be brought into operation this year.

VISCOUNT CRANBORNE said, he understood the proposal of the hon. Gentleman the Chairman of Ways and Means to be a proposal for a continuity of policy in the proceedings of Private Committees; and as a reform in that direction, though a feeble and inadequate reform, he hailed it gladly. He entreated hon. Members to look beyond mere technical details, and ask themselves whether the machinery by which they had hitherto administered the railway business of the House had produced results of which to be proud. Hitherto it had been the most planless and purposeless system, if he could give it the name of system, that ever was known. No kind of rule had been laid down for the guidance of the Committees, amidst the manifold complications of the questions that had arisen. Were the Committees to be looked on as judicial tribunals or as legislative tribunals? If as the former they had this remarkable peculiarity, that the proceedings were carried on at the maximum of expense, and there was no element in the tribunals which secured continuity of policy or consistency of decision. The Committee of this year was not the Committee of next year; there was no legislation from without to control them; they could produce no precedents from within by which they could be guided. The result was that, except in purity of purpose and honesty, they had no single attribute such as one was accustomed to find in judicial tribunals in a civilized country. On the other hand, if they were not judicial tribunals, but fragments of the Legislature—and if the extraordinary theory were adopted that each fragment possessed in itself all the wisdom of the whole Legislature combined—how was it that the Committee of Selection did not form these Committees from the whole House, or from the best Members in it? The fact was that the Committee of Selection made their choice on the principle of getting on Private Bill Committees those who had nothing to do. If the Committee of Selection had swept the Treasury Bench in order to find Members for the Private Committees he was certain that the present system would not have endured five hours; but it was because they had to deal with Members who did not take a leading part in the debates, and could not resist the compulsion put upon them, that the contrary system had lasted so long. He (Viscount Cranborne) had constantly tried to stimulate the Committee of Selection into boldly choosing from the prominent Members of the House, but they had never answered his challenge, being always ready to excuse those who had much public or official business to attend to. This was not a question of theory merely, but one of practice. What had the system effected? It had produced a series of railways at enormous cost, without plan, and with a waste of capital more colossal than ever happened in the history of the world before. Had the public gained by it? Let any hon. Gentleman who entertained a doubt on the point compare the fares charged on the Continent with those charged in this country. On the Continent the Governments exercised a very strong power in selecting what lines should be constructed; in England the lines were allowed to construct themselves very much as they liked, and the result had been that many lines which paid had to charge the public for branch lines which did not pay. As a rule, the lines going through agricultural districts were losing speculations, unless they connected two great centres of population. The companies, in order to recoup themselves, had charged the paying portions of their systems, and had obtained from lines uniting great centres of population very considerable fares, which, when compared with the fares on the Continent, showed a difference of 25 per cent, or 50 per cent, or even of 100 per cent. While the capital expended on the Continent had produced paying lines, there had been in England a vast amount of capital sunk into the sea, and the capital which remained had to pay for the loss. Therefore, he considered the existing mode of conducting the Private Bill business to be unwise and practically unjust. The cause of its failure was that it proceeded on no plan or system; but it was a mere proceeding of haphazard, according to the accident of the selection of the Chairman or Members of Committees, or according to the talent of the counsel appearing before them. The result had been that they showed no adequate return for the capital expended, so that we saw on the one hand ruined shareholders, and on the other hand the public charged fares much above those of Continental traffic. On these grounds he thought the House ought not to cling too closely to the remains of a system which had completely failed; but rather encourage the Chairman of Committees to do what he was now attempting to secure—more continuity of decision and policy. That could only be done by referring the very considerable mass of their business to those who did not change from year to year. That, he believed, was most likely to produce a system that would be wholesome and beneficial to the country; and he hoped the hon. Gentleman would proceed with the scheme he had taken in hand.

Mr. LAING observed, that the proposal of the Chairman of Ways and Means embraced two points — the improvement of Committees and the machinery by which they adjudicated on a large class of Private Business, and also a question of policy—namely, whether competition was to be admitted or not. The two had a very material bearing on each other. He would make a very few remarks on the question of the constitution of the Committees with a view to obtain what was most desirable, greater continuity of decisions. It was desirable not merely that the tribunals should be of a uniform description, but much more on the class of matters now referred to them. The great defect in the private legislation of the House was not so much the constitution of the tribunal, but in referring to them a great mass of matters which ought to have been settled on some broad principle of legislation. The question of competing lines and monopoly should not have been referred to those Committees. No question was more important than that referred to by the noble Lord, whether they should have adopted a system of regulated monopoly or free trade in railways. Twenty years ago that question was of the greatest possible importance, when an outlay of £500,000,000 was to be expended, and the whole system of the communications of the country depended on its right decision. It was now practically useless to go back and inquire whether that was right or wrong. It was sufficient to say that this system was proposed by the Report of Lord Dalhousie's Commission, which had been a good deal canvassed. A great deal was said on both sides. He was not going to argue that the decision come to by Parliament was entirely wrong and destitute of foundation, for though the opposite system might have produced great advantages, such as terminal concessions, it was unsuited to the genius of the English nation, and the policy adopted had the effect of giving the country a greater number of miles of railway within a limited period than could otherwise have been secured. That was a great advantage to the country, although, undoubtedly, the shareholders had suffered. But if it were adopted it ought to be carried out to its legitimate consequences. Nothing was more absurd than to say they would not have regulated monopoly, and yet subject railways made under a system of free competition to all the expenses and restrictions which would have been imposed on those going on the opposite principle. He arrived at this practical conclusion, that the proper way to deal with this question would be to take up the broad general principles that should regulate railway legislation and embody them in a general Act, leaving little or nothing for investigation before Committees. A Bill might be brought in consisting of only two clauses. Anyone might make a railway anywhere provided he deposited sufficient security for giving compensation to those whose interests were effected thereby, and existing railways should be at liberty to do anything they liked consistently with the objects for which they were made, and without prejudice to the existing state of things. This mode of proceeding would save a great deal of labour to the House, and extricate them from the difficulties in which they were now involved. The proposal of the Chairman of Ways and Means was an improvement; but the much larger question should be dealt with by general legislation.

MR. HENLEY admitted the difficulty of this question; but he could not admit that no attempt had been made to lay down the policy of railway legislation. A very great effort had been made in that direction, under Lord Dalhousie, by a very able and powerful Government. He cordially agreed with the noble Lord as to the desirableness of keeping up as far as possible what was called the continuity of decisions, and at the same time preventing questions on Private Bills coming back for decision to the floor of that House; for it must be remembered those questions would come back from where they had been heard on evidence on both sides, with the assistance of counsel, to where they would be decided without hearing evidence on either. He was one of those who thought the railway system of the country, so quickly developed as it had been, had proved of the greatest possible advantage to the community, although, as in the case of canals and roads, the unfortunate shareholders had suffered. No doubt about it, it was the branches that did not pay; but yet rival companies had fought with the greatest vigour to secure them as an advantage to themselves, and, at all events, prevent them falling into the hands of their competitors. On the whole, he thought they should keep their Committees strong, in order to prevent questions coming back for decision to the floor of the House, which, in his estimation, would be a great misfortune.

MR. CARDWELL said, that having at a former period paid considerable attention to this subject, he wished to say a few words before the House went to a division. He entirely agreed with the right hon. Gentleman (Mr. Henley), and altogether differed from the noble Lord who spoke before him (Viscount Cranborne), with regard to the Members who constituted Committees. He remembered when means were taken to obtain a rather more permanent and settled administration in regard to railways by the establishment of a Chairman's Panel, a person of no less consideration than the Foreign Secretary devoted himself to the management of that Committee, and gave a great deal of very useful attention to the subject. So also when the Great Northern Railway was brought forward the President of the Poor Law Board, who was at that time a very useful Member of the House of Commons, acted as Chairman of the Committee. It was not just, therefore, to say that Members of the Private Bill Committees were selected on the ground that they had nothing else to do. The question of railways was a legislative and not a judicial one. Parliament had to take care that due consideration was given to the great railway companies who had expended an enormous capital for the benefit of the public; but they had also to take care that that consideration was not extended beyond proper limits, and the question, therefore, was whether this point was to be determined by Members who were responsible to that House, or by persons out of doors, who would have no responsibility, and whose designs would be in some measure arbitrary. He felt certain that no tribunal would be endured for long which was not responsible to that House for its decisions. The Government of Sir Robert Peel appointed a body under Lord Dalhousie to deal with these questions. Their ability was unquestioned; but their Resolutions were not only treated with indifference, but there was even a feeling, however it was to be accounted for, that their approval was an argument against the plan. Subsequent attempts had been made at legislation, which had not proved satisfactory. It was now proposed to take some step in order to secure greater permanence and regularity in the proceedings of these

Railway Committees, and the noble Lord the Chairman of the Standing Orders Committee acquiesced in the proposal that there should be some permanent element introduced into them, while at the same time he objected to that permanent element being so large as to be equi-pollent with the Members of the House. In his opinion, the advice of the noble Lord was sound and wise, and the House ought to adopt it.

Mr. AYRTON said, that two or three years ago the Commission appointed to inquire into the operation of the railway system throughout this country had incidentally to inquire into many of the questions that had arisen in the course of this discussion, and they submitted for the consideration of the Government, and of that House, some principles which they laid down for the regulation of future railway legislation, and those principles were in accordance rather with the proposition of the noble Lord than with that of the hon. Member. The Commission in their Report particularly directed attention to the difficulties in which the House was placed in dealing with the capital of railways. The House was almost always imposed upon by the promoters of railway companies upon this subject, and the result was that great injustice was frequently done. The House should decline to deal with the question of capital, and should require all companies which applied for powers for constructing new lines to fulfil all the requirements of the law necessary to enable them to make their appearance before Parliament as joint-stock companies. He objected to any company having a monopoly of any particular district, and wished to see the principles of free trade adopted with regard to them. It was impossible that any general scheme for laying down railways throughout the country could be carried into effect by the permanent element it was proposed to introduce into the Private Bill Committees. If Parliament wished that some such plan should be devised they must themselves lay down the plan that was to be carried out, and not leave the matter to the mere arbitrary decision of some three or four gentlemen. The Commission proposed that while the Committees should retain their present form, they should be assisted by the Board of Trade, which was to call their attention to all questions affecting the public interest. He thought that these recommendations were well worthy the consideration of the House.

Mr. DODSON said, he was glad to find a general concurrence in the two first propositions he had made—namely, to substitute for the purely Parliamentary Committee a mixed tribunal, and to abolish the divided inquiry. The question now at issue was the minor one, of what number the tribunal should consist. He originally proposed that the tribunal should consist of four persons, and that not less than two of them, including the Chairman, who had the casting vote, should be Members of the House. By this, he thought he had sufficiently secured the preponderance of the legislative element in the tribunal; but the Committee of Standing Orders seemed to think the official element would be still too strong, and proposed that the Committee should be assisted by only one Referee. The noble Lord (Lord Hotham), however, proposed that the Committee should consist of the old number of five members, including the one Referee. Against these two propositions they had the alternative suggestion from the right hon. Member for Ashton-under-Lyne (Mr. Milner Gibson) that the Parliamentary Committee should continue to consist, as at present, of four members, including the official Referee. He had told the noble Lord the Chairman of the Committee of Standing Orders that, although he had a preference for his own scheme, he would willingly acquiesce in the proposal of the Committee, if it were approved by the House, and, of course, he would stand by that promise; but if he were permitted to re-consider the whole matter in the light of the alternative proposal made by the right hon. Member for Ashton-under-Lyne, he would prefer to accept that middle course, and he hoped the Standing Orders Committee would do the same.

Mr. GLADSTONE supported the Chairman of Ways and Means in his amended proposal, which combined the introduction of a permanent element to the Parliamentary tribunal with the minimum of change. There was a great difficulty in finding Members, and four had been found a sufficient number for the constitution of these tribunals.

Mr. PAULL said, he hoped the House would continue to adopt the uneven number. Three was the number that had originally been proposed; but the inconvenience that would occur was set forth if one Member should be attacked by illness. He did not altogether approve the introduction of a permanent element to the

Committee, because it was questionable whether an official would not have a tendency to run too much in one groove.

MR. WOODD said, he should support the proposition of the Chairman of Ways and Means. He thought, considering the difficulty of obtaining Members, that four would be sufficient.

MR. SERJEANT GASELEE thought their thanks were due to the noble Lord the Chairman of the Committee of Standing Orders for the Motion he had brought forward. He contended that, if the number four were open to objection on account of the power thereby lodged in the hands of the Chairman, it was not right that Railway Bills, involving large monetary interests, should be intrusted to the decisions of Committees composed of that number, unless they were prepared to reduce the number of Members of Election Committees.

MR. STEPHEN CAVE thought the Motion of the right hon. Gentleman opposite (Mr. M. Gibson) might be regarded as a fair compromise. He had already expressed his opinion on this question, and would not now detain the House. He had merely risen, as there seemed to be some little confusion in point of form, for the purpose of suggesting that the Motion of his hon. Friend the Chairman of Ways and Means should be withdrawn, and that the Amendment of the noble Lord (Lord Hotham) should be put as a substantive Motion, in which case the right hon. Gentleman might move, as an Amendment, the substitution of the word "three" for "four."

Amendment and Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That the Committee of Selection may refer any opposed Private Bill, or any Group of such Bills, to a Committee consisting of Four Members and a Referee."—(*Lord Hotham.*)

Amendment proposed, to leave out the word "Four," in order to insert the word "Three,"—(*Mr. Milner Gibson,*)—instead thereof.

Question put, "That the word 'Four' stand part of the Question."

MR. WATKIN enforced the argument employed by the hon. Member for Portsmouth (Mr. Serjeant Gaselee), and contended that in a Committee composed of four members the Chairman would be intrusted with too much power. He thought that the argument used in favour of a Committee of four—that it would save the time of the House—was not very forcible, as there was a great deal of unemployed labour in the House available for Committee work, for more than two-thirds of the Members elected in the last Parliament had never served on Private Committees. They would not have four as a number for an Election Committee, and why should they have it for Committees before which important commercial issues were brought?

MR. BONHAM-CARTER said, that the number four was arrived at by a kind of haphazard course. There were Members present who knew of cases where the casting vote had to be exercised, and how unpleasant it was. He reminded the House that the Committee on Standing Orders had reported in favour of the Committees being composed of an even number of Members. It was hoped that the addition of an official Member as Referee would shorten the labours of the Committees, as it might lead to opposition being offered to a fewer number of Bills.

COLONEL WILSON-PATTEN said, the argument used by the hon. Member for Stockport (Mr. Watkin) against the number being fixed at four was the very argument which had led to that number being recommended, it being thought that it would be desirable to give a preponderating weight to the Chairman, whose opinion, from his knowledge of public business, was entitled to more consideration than that of other Members. In his view of the case it gave greater strength to the tribunal, and it was for this reason the number four was originally adopted.

The House *divided* :—Ayes 162; Noes 159: Majority 3.

Main Question put, and *agreed to.*

Ordered, That the Committee of Selection may refer any opposed Private Bill, or any Group of such Bills, to a Committee, consisting of Four Members and a Referee.

MR. DODSON next proposed the repeal of Standing Orders 93, 95, 96, and 97, relating to the divided inquiry before the Referees and Committees. Considering the length to which the discussion upon Private Business had extended he should probably be consulting the convenience of the House if, after that Motion had been carried, he abstained on the present occasion from pressing the other alterations contemplated by his Notice of Motion.

Lord HOTHAM presumed that what his hon. Friend was now moving had only for its object to carry out the vote at which the House had just arrived.

Mr. DODSON said, it was only to get rid of the double inquiry.

Standing Orders 93, 95, 96, and 97 read, and *repealed.*

Standing Order 131 (Competition to be a ground of locus standi) read.

Mr. DODSON proposed that the remaining Motions should be postponed till that day week.

Mr. BOUVERIE inquired whether it was the intention of his hon. Friend to bring the matter on again at that date?

Mr. DODSON: Certainly, if it met the convenience of the House.

Further Consideration of said Standing Order *deferred* till *Tuesday* next.

TURKEY—SANITARY REGULATIONS.

QUESTION.

Sir J. CLARKE JERVOISE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has any explanation to give on a late order of the Turkish Government, whereby sailing vessels passing through the Bosphorus from ports affected with cholera are exposed to a great aggravation of the difficulties of navigation between the Black Sea and Mediterranean; and whether (in the absence of the Report of the Cholera Congress, 1866) that of the British Cholera Commissioners will be forthwith distributed?

Lord STANLEY: I suppose, Sir, the order referred to by the hon. Member's Question is one by which it has become necessary for sailing vessels passing through the Bosphorus to be towed by a steamship, whether they come with a clean or a foul bill of health. I do not think the House would thank me for going into details upon that question. But I may say that the Board of Health at Constantinople has proposed to dispense with this obligation in certain cases. And Her Majesty's Government, together with the Governments of some other Powers, have remonstrated against the indiscriminate enforcement of a rule which appears to us needlessly severe, and in favour of the more mitigated and moderate view taken by the Board of Health. However, the matter is still under discussion at Constantinople, and no result has yet been arrived at. In reply to the second part of the Question, I have to state that there is no collective Report of the Cholera Congress, but the Report of the British Cholera Commissioners will shortly appear with other Papers relating to the same subject.

THE MEDICAL OFFICER OF THE PRIVY COUNCIL.—QUESTION.

Sir J. CLARKE JERVOISE said, he wished to ask the Vice President of the Committee of Council on Education, Whether his attention has been directed to the fact that the Report of the Medical Officer of the Privy Council, dated 31st March, 1867, was not distributed till the second week in September; and, whether the Report for 1868 will be accessible to Members of Parliament and the public at an early period of the present Session?

Lord ROBERT MONTAGU replied, that the Report of the Medical Officer of the Privy Council must be laid on the table of the House on April 14 of every year; that was to say, fourteen days after it had been presented to the Privy Council. Last year the printing of the Appendix, which was large and contained many maps, was unavoidably delayed. This year, however, he hoped that it would be in the hands of Members immediately after the Easter Recess.

CASE OF THE "SPRINGBOK."

QUESTION.

Mr. BENTINCK said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has any objection to lay upon the table all Papers relating to the capture and condemnation of the *Springbok* by the United States Government, and especially the Letter to Lord Stanley on behalf of the owners of the *Springbok's* cargo, dated the 5th day of February last, covering the joint opinion of Mr. Mellish, Q.C., and Mr. W. Vernon Harcourt, Q.C., and other Enclosures?

Lord STANLEY: All the papers, Sir, in the *Springbok* case are at present before the Law Officers of the Crown, and until I have seen their opinions on the case it is impossible for me to answer my hon. Friend's Question.

TECHNICAL EDUCATION.

QUESTION.

Mr. SAMUELSON said, he wished to ask the Vice President of the Committee of Council on Education, Whether he can state when the replies of our Legations to the questions addressed to them on the subject of technical education abroad will be in the hands of Members?

LORD ROBERT MONTAGU said, in reply, that the Reports from the Secretaries of Legation were already in type, and formed a thick octavo volume. Of the documents which were transmitted therewith *precis* were being made in English. About half of these documents, on upwards of 2,500 printed pages, had been finished by the translators, and reduced to about 200 pages of printed matter. The other half would be finished in about two months. The countries of which the translations were complete were Sweden, Norway, Belgium, Bavaria, Prussia, and the Hanse Towns. France was partly finished. There remained to be done Switzerland, Austria, and the greater part of France.

CONTAGIOUS DISEASES ACT.

QUESTION.

MAJOR DICKSON said, he would beg to ask the Secretary of State for War, If it is his intention to extend the Contagious Diseases Act of 1866 to Dover?

SIR JOHN PAKINGTON said, it was not the intention of Her Majesty's Government to apply the provisions of this Act to Dover, or any other town, until proper hospital accommodation was provided. It might be satisfactory to his hon. and gallant Friend to know that a hospital would be opened at Dover about May next.

ARMY—SHOEBURYNESS EXPERIMENTS.

QUESTION.

MR. POWELL said, he would beg to ask the Secretary of State for War, Whether it be true that on a recent occasion when trials were made at Shoeburyness to ascertain the quality of Iron Plates or Bars supplied under contract by the Millwall Iron Company, certain Plates or Bars under trial were found to be heated, such heating having been effected without the permission and without the knowledge of the Commandant or any other responsible Government officer; if so, whether inquiry has been made into the circumstances. Whether he will lay upon the table any Correspondence which followed the discovery that the Iron had been heated; and, whether it is proposed to take steps with a view to more efficient custody of Iron Plates during trials?

SIR JOHN PAKINGTON said, in reply, that he was very sorry to say it was true that at the recent trials at Shoeburyness certain plates or bars under trial were found to be heated, and this had been done without the permission or knowledge of the Commandant or any other Government officer. He would have no objection to lay upon the table copies of a letter from the Colonel Commandant and his (Sir John Pakington's) reply, being the only correspondence that took place on the subject. The occurrence referred to had been discovered by the vigilance of the Colonel Commandant.

GENERAL DUNNE said, he would beg to ask whether the bars at Shoeburyness had been ever heated by the permission of the Colonel Commandant?

SIR JOHN PAKINGTON said, he believed that occasionally, under peculiar circumstances, the iron had been heated for trial. But in those cases permission from the Commandant had been given.

IRELAND—TREATMENT OF MESSRS. SULLIVAN AND PIGOTT.—QUESTION.

MR. STOCK said, he rose to ask the Chief Secretary for Ireland, Whether it is true that Messrs. Sullivan and Pigott, the prisoners in Ireland convicted of seditious libels, are subject to all the restrictions and regulations imposed on ordinary convicts, with the exception of not being compelled to wear the prison dress and to live on prison diet; whether they are subject to twenty-two hours' solitary confinement *per diem;* and, whether the law authorizes similar treatment of persons convicted in England of seditious writing?

THE EARL OF MAYO: Sir, it is not true that the prisoners, Messrs. Sullivan and Pigott, convicted of seditious libels, have been subjected to all the restrictions and regulations imposed on ordinary convicts, with the exception of not being compelled to wear the prison dress and to live on prison diet. The by-laws which regulate the prisoners in the Richmond Bridewell are prepared by a Board of Superintendence and sanctioned by the Municipal Council of Dublin and approved by the Lord Lieutenant. The rules with regard to cleaning the cells, clothing, diet, the number of visitors, the time for putting out lights, and the presence of the Governor during the visits of their friends, have all been relaxed to a considerable extent in reference to these prisoners, who, I am informed, nave not made any complaint with regard to their treatment except in one particular, which is at present under consideration. The time allowed for exercise is three hours and a half a day. These hours of exercise would be extended if it were thought necessary, and if a desire to that effect were expressed on the part of the prisoners. I understand that one of the prisoners, Mr. Sullivan, has already expressed himself desirous of not being required to exercise for more than one hour during the day, and therefore the rule has been altered in his case. There are no means in the Richmond Bridewell of keeping prisoners in association, and therefore it is necessary that these persons should remain in their cells. I apprehend, however, that they would not desire to be placed in association, even if it were possible. In regard to the general instructions given with respect to these prisoners, the Governor of the gaol has been informed that he is at liberty to relax the rules of the prison as he may think necessary or desirable, provided it can be done consistently with the discipline of the gaol, the safety of the prisoners, and the proper execution of the sentences passed upon these prisoners.

THE MUTINY BILL.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for War, Whether he will undertake that the Mutiny Bill shall be printed and circulated to Members for forty-eight hours before the Second Reading is moved?

Sir JOHN PAKINGTON: In answer, Sir, to the Question of my hon. Friend, I beg to state that it is not my intention to alter the rule followed by my predecessors with respect to the Mutiny Bill. I intend to adhere to the practice of my right hon. and gallant Friend the Member for Huntingdon (General Peel) of bringing in the intended alterations in the Mutiny Bill on a separate paper.

Mr. DARBY GRIFFITH said, he wished to know whether the right hon. Baronet intends to introduce the paper before the second reading of the Bill?

Sir JOHN PAKINGTON: No; but before the Committee on the Bill.

Mr. OTWAY said, he must complain that such an arrangement would be very inconvenient to those Members who desired to introduce modifications into the Bill.

Captain VIVIAN said, he wished to know when the right hon. Baronet intended to go on with the Army Estimates?

Sir JOHN PAKINGTON: If my noble Friend (the Earl of Mayo) gets leave to introduce the Irish Reform Bill early on Thursday, and if the hon. Member for Brighton (Mr. White) will postpone the Motion which he has placed on the Paper for that evening, I shall bring on the Army Estimates on Thursday.

Mr. SANDFORD said, he wished to give notice that, in consequence of the reply which had been given respecting the Mutiny Bill, which certainly was not an answer to the Question, he would bring the subject before the House, as it was quite impossible that hon. Members could give notice of Amendments if the Bill were not printed earlier than it had been hitherto.

Sir JOHN PAKINGTON: I have virtually answered the observations of the hon. Member, and it is not my intention to depart from the practice of my predecessors.

ELEMENTARY EDUCATION BILL.

LEAVE. FIRST READING.

Mr. BRUCE, in moving for leave to introduce a Bill to provide for Elementary Education in England and Wales, said, he believed no opposition would be offered to the Motion. It would be convenient to the House and to many persons outside it that he should state shortly the provisions of the Bill, and point out more especially its variations from the Bill of last year. The Bill he proposed last year might be briefly described as one for permissive rating. Its object was to give every community throughout the country the power of raising funds to provide a sufficient education for the inhabitants of the district. If such a Bill would not have accomplished all that was to be desired it would, at least, have afforded a means of reducing evils the existence of which all deplored. He had no doubt such a Bill would have been adopted in many most important centres of population. The most cheering results had followed a similar experiment in Canada, where, under a permissive Bill, the country had been covered with schools, supported out of the rates with a liberality which even exceeded that of the State of New York, where education was compulsory. He was bound to say that many thought the Bill of last year did not go far enough, and throughout the country, wherever he had consulted those who took a deep interest in the matter, he found the feeling was almost universal that a permissive Bill alone would be insufficient. It was argued that, although, undoubtedly, the primary duty of providing education for children rested with the parents, it was obligatory upon the State to see that they performed their duty, and that obligation could not be fulfilled under any merely permissive Bill. It was said that if it rested with a municipality to take an initiative which it was indisposed to take in the way of supplying a deficiency of school accommodation, there would still be thousands of children uneducated. Such a conclusion pointed inevitably to the necessity for some compulsory measure. He yielded to the arguments that were so advanced, and he undertook that in the Bill it was his intention to introduce this year means should be provided to meet the case of an indifferent local authority. Therefore, the present Bill contained all the main principles and provisions of the Bill of 1867, with the addition of machinery for its compulsory enforcement where the existence of educational destitution had, after formal inquiry, been proved. It did not propose to interfere or to give any power of interference with districts adequately supplied under the existing voluntary system. It provided in the first place for the voluntary adoption of the Act, first, by all municipal boroughs and places under the jurisdiction of a local Board, or of Commissioners or trustees intrusted by any local Act with powers of improvement, &c.; secondly, by all unions which are not co-extensive with or included in the places before mentioned; thirdly, by special districts formed under an Order in Council; and fourthly, by the union of districts, or of parts of parishes and districts. It was obvious that, as all districts adequately supplied with schools were withdrawn from the operation of the Act, and as all boroughs and places having a Board of Health or local Commissioners would form separate districts, there must remain fragmentary portions of the country, greatly varying in extent, in population, and in the character and description of their inhabitants. These were the special districts for the formation of which very elastic powers were necessary, and this necessarily involved complicated financial arrangements. Sometimes a part of a populous and extensive parish might be formed into a school district, sometimes a combination of parishes or of parts of parishes might be necessary, the boundaries of which could only be fixed after careful inquiry conducted on the spot. The Committee of Council was authorized to allow the withdrawal of a parish from a union, but not from a borough or other district. The reasons for this distinction were obvious. Boroughs and Board of Health districts had common interests and a common civic life, which was not the case with the parishes forming parts of extensive unions, united together only for the administration of the Poor Law. An order for the compulsory application of the Act either to an ordinary or a special district might be made by the Committee of Council after due inquiry. This inquiry might either be demanded by one-tenth in number or rateable value of the persons who were or would be electors of the district, or it might be directed by the Committee of Council on their own authority. It would be conducted on the spot, after due notice, by a Commissioner, who would report fully to the Committee of Council, stating the reasons for the adoption of the Act and the objections, and concluding with his recommendations. The Committee of Council would thereupon make such order as they might think expedient, either enforcing or not the adoption of the Act. He now came to the constitution of the school committee. In municipal boroughs it might be elected by the Council either wholly or partly out of their own body, so that persons might be placed upon it who, not being members of the Council, were known to be specially qualified for the work. In all other districts the committee would be elected by ratepayers from among the owners and occupiers of any land, &c., in the district of an annual value of not less than £10. The numbers of the committee were to be six, nine, or twelve. They would appoint a clerk, treasurer, and inspector. The managers of every school in the district, whatever its denomination, fulfilling certain conditions, and not exacting a weekly payment of more than 9*d*., might apply to be received into union. If the school committee refused to admit a school into union an appeal would lie to the Committee of Council. The conditions on which they would be received into union were as follows:—1. That they shall be open to inspection both by Her Majesty's and by local Inspectors. 2. That the discipline and instructions shall be in all respects conformable to the Minutes of the Committee of Council. Provided always that no scholar shall be required, when attending the school, to learn any Catechism or religious formulary to which the parent in writing objects, nor to be present at any lesson, instruction, or observance to which such objection has been made. 3. That no scholar, tendering the weekly fee, shall be refused admission for any reason but mental or physical incapacity, conviction for crime, or expulsion from some other school. The managers will have power to expel for misconduct. 4. The qualifications of teachers shall, where schools are in receipt of the Parliamentary grant, be the same as those required by the Government Code. In other cases they shall be such as shall be prescribed by the school committee. 5. That the school rooms be healthy, well-ventilated, &c. 6. That they be open for forty weeks in every year on five days in each week, exclusive of Sundays, and for not less than four hours each day. The breach of these conditions would subject a school to exclusion from the union, with an appeal to the Committee of Council. There were also some general regulations as to the number of teachers, the proportion of the size of the school to the number of scholars, the payment of school fees, and the keeping of registers, for the breach of which regulations the school would be liable to lose a portion of the local grant. It would be the duty of the school committee to see that these conditions and regulations were observed, but not otherwise to interfere with the constitution, management, arrangements, discipline, or instruction of any united school. The managers might, after three months' notice, withdraw from union, or might, under certain conditions, transfer the school to the committee. It would be the duty of the committee to inquire into the school accommodation of the district. When found to be insufficient they would give notice to the district in manner specified, and any person might, within sixty days after the last notice, serve on the school committee an undertaking to provide sufficient schools within twelve months. If he failed within six months to commence work, or within eighteen months to have the school in operation, the school committee might provide it themselves. These schools might be either free or aided schools, and must be conducted in accordance with the general conditions and regulations prescribed by the Act. The committee may either manage them themselves or delegate the management to others. The school committee would have the same powers of contributing to industrial schools which were given to the prison authorities by the Industrial Schools Act. Provision was also made for the case of the local committee neglecting its duty in providing new schools. Power was given to the Committee of Council to inquire into the alleged neglect, to make an order limiting the time for the performance of their duty by the local committee; and to appoint a person to perform the same in the event of the order being set at nought. It would be the duty of the inspectors appointed by the school committee to inspect the united schools once every six months, and to examine those which were not in the receipt of Parliamentary grants. The schools might be admitted into union either as free or aided schools. The grants might be calculated on a scale arranged between the managers and the school committee, but not be less than the following weekly payments:—If for a free school—for a boy above six years, 6*d.*; for a girl above six years, 5*d.*; for a boy or girl under six, 4*d.* If the school were an aided school, the scale should be not less than one-half of the above-mentioned sums. Where the school was not in receipt of an annual grant from the Committee of Council a further grant of 2*s.* 4*d.* for every pass in reading, writing, and arithmetic would be made. Where, however, the local committee could prove to the Committee of Council that the weekly contributions were unnecessarily large, they could be reduced to the amount required for the due support of the school. No fees should be taken in free schools. In aided schools they should be on a scale arranged between the managers and the committee. The school committee might, on the application of the managers, permit them to receive, in an aided school, particular scholars or classes of scholars without any payment, or with a smaller payment than that arranged. In such cases the grant to the managers would be on the scale of scholars at free schools. The expenses of the school committee would be paid out of a fund called the school fund, raised in the following manner:—In the City of London, out of a consolidated rate; in the parishes and districts formed by the union of parishes under the Metropolis Management Act, 1855, out of the general rate leviable under that Act; in boroughs, out of the borough fund or rate; in places under the jurisdiction of a local Board, out of the general district rate; in places under the Improvement Commissioners, &c., out of the rate leviable by them; in unions, out of the union rate. The money provided for building a new school would be charged on the parish in which the school was situate. This expense might be spread over any number of years not exceeding thirty, and the school committee might borrow money on the security of the school fund. Where the expense in providing and fitting up such school exceeded £200, half the cost would be chargeable on the owners of the rateable property. Provision was made for the audit of the accounts of every school committee. The Government code would be construed as if the contributions from the local fund arose from voluntary subscriptions. And, lastly, provision was made for night schools. He would now touch on a few points of difference between this scheme and that suggested during the Recess by his right hon. Friend (Mr. Lowe), and which appeared to be received with considerable success by the public. His right hon. Friend proposed that the Committee of Council should immediately issue a Commission to inquire into the state and condition of the country with respect to education, and wherever it was found that the voluntary system had failed to supply a district with proper means of education, there the Act should be at once enforced. The Bill which he was now submitting to the House proceeded less sharply and summarily. First, it enabled any place which chose to adopt the Act, to do so voluntarily. Surely, the Act was more likely to work satisfactorily if towns like Manchester and Birmingham, which were alive to the wants of education, had the opportunity of adopting the Act voluntarily instead of having it forced upon them. In the next place, there would be a great disadvantage in attempting at once summarily to impose upon the country one uniform system. A national system of education could only be of gradual growth. Parliament could not, by merely wishing it, create such a system. Their fiat would be powerless for such an object. For instance, it would be impossible at once to supply all the schools of the country with proper instructors. His right hon. Friend had shown conclusively that the success of a school depended upon the efficiency of the master. But you could not at once create a supply of efficient masters. If you had a railway to make, you could insure a sufficient number of labourers; but the mere issue of an advertisement would not give you skilled teachers. Then, again, although the voluntary system had to some extent failed, it had done a great deal, and we might fairly expect that it would do more under the gentle compulsion which would be exercised by this Bill. He believed that if it was clear to the inhabitants of a given district that, unless sufficient provision were made for education within a certain time by voluntary effort, compulsion would be used, the necessary effort would generally be made. The House would remember that, however perfect the details might appear upon paper, any scheme must depend, after all, upon the cheerful support and vigorous co-operation of the people themselves. It was so in America and in Prussia, and must of necessity be so in this country. His right hon. Friend (Mr. Lowe) was of opinion that although the Government grant might be continued as at present to schools of all denominations, that local rates should only be applied to those which were conducted upon the secular system. Now, he (Mr. Bruce) objected to this proposal. He was not one of those who spoke of secular teaching with the contempt which it sometimes met with from Gentlemen who treated this subject. On the contrary, it seemed to him that good secular instruction was absolutely necessary for the worthy reception of religious truth. It was impossible that there could be a proper understanding of the relations between man and his Creator by persons who had not received a good secular instruction. On the other hand, he admitted that the truths of religion were best taught through the medium of school instruction. Whilst, therefore, it was the duty of the State to see that good secular instruction should be offered, it was equally its duty to see that religious instruction was imparted according to the tenets of the parents of the children. Up to this time the State had expended many millions in fostering a system of religious teaching, and, in his opinion, it would be a monstrous thing now to turn round upon persons who had hitherto acted on the faith of the denominational system supported by Parliament, and to say that under the new compulsory system denominational schools should receive no advantage. The adoption of a sufficient Conscience Clause would meet all reasonable objections, and on this point an alteration had been made in the Bill which he hoped would render it more acceptable than that of last year. He was anxious to anticipate another objection that might be taken to the Bill—namely, that it did not completely provide for such compulsory action as might be necessary in districts where sufficient education was not afforded. He proposed that one-tenth in number, or in value, of the ratepayers might apply to the Committee of Council for an inquiry into the educational state of their district, and that, thereupon, an order might be made; and the Bill also provided that, in default of such application, the Committee of Council might itself take action. But it might be asked, "Suppose that the Committee of Council neglect their duty, what remedy do you provide in that case?" Well, he believed that the remedy was to be found in the responsibility of the Committee of Council to Parliament. But, if it were found necessary hereafter to make that responsibility more direct and complete, he had no doubt Parliament would take the proper measures for securing that result. It seemed to him inevitable that before long, considering the extent to which it was proposed that the State should deal with the schools not only of the lower but of the middle classes, a Minister of Education must be appointed; and Parliament would take care that such a Minister was responsible to it for the proper performance of his duties. He (Mr. Bruce) had had much more frequent recourse to that *Deus ex machinâ*, the Committee of Council, than he could have wished, but that was simply from the want of proper local machinery. The great difficulty of anything like a national system of education in this country was the want of a proper local organization; and that difficulty was immensely increased by the fact that, under the voluntary system, a large portion of the kingdom was sufficiently supplied, because the districts left unsupplied might not be conterminous with the union or any other division known to the law. It was necessary, therefore, to deal with all those districts; and with respect to the question whether a district was sufficiently supplied or not, and many other matters, he would infinitely prefer leaving them to a local Committee. He looked forward to the creation of such a body before long. The Report of the School Commission just published made the appointment of such a Committee absolutely essential to the carrying out of their scheme, and it would be easy to transfer such functions to it. Another point was whether the Bill ought to provide, under any circumstances, for the support of a free school. He admitted that it was one of great difficulty: but it was well known that the Bill, in its original form, though it had since undergone many changes, emanated from the Manchester and Salford Education Committee, whose free schools were certainly conducted with remarkable success. To those schools were admitted the children of those parents only who were known to be incapable of paying: the education given in them was excellent, and the average attendance — the real test of the efficiency of schools—was greater than in the ordinary denominational schools. Whereas, during the time he was connected with the Privy Council, the average attendance was about 75 per cent of the number on the books, and was at this moment considerably less, the average attendance at the Manchester and Salford free schools was as high as 92 per cent, or nearly equal to that of Prussia. In certain districts it might be convenient to erect free schools for the children of extremely poor persons. The Bill gave a power to do so, which, however, would be exercised cautiously, and only in extreme cases, as it would enable the local committee to arrange with the manager for making payments in that special class of cases for poor children whose parents were known to be unable to pay. In most instances that would be sufficient to meet local peculiarities; but he saw no reason why places like Manchester, Liverpool, and Birmingham should not have free schools if they chose, and he did not fear that they would be largely brought into competition with the other schools so as to ruin their resources. It might be asked why, considering that the Government had given notice of their intention to deal with that subject, he had not exercised a little patience and kept back his Bill until they had brought in theirs. Now, he and his Friends would truly rejoice if the Bill of the Government was one which they could support and which would enable them to dispense with the further prosecution of their own Bill. He asked leave to introduce that measure only in order that the principles on which he thought education should be conducted might be before the country, and that in case the Bill of the Government should not contain arrangements for covering the country in process of time with sufficient schools, he might have the power of proceeding with his measure. There seemed but two methods of providing schools where they were required — namely, either by local funds locally administered, or by Imperial funds administered under the control of the State. It was next to impossible that any Government would have the boldness to propose the provision of funds for the education of the country out of Imperial funds to be administered by local irresponsible authorities. Last year he mentioned that in London there were no fewer than seventeen districts without any schools at all, and no fewer than 107 districts, with an average population of 5,000 each, which were most imperfectly supplied with schools. How, he asked, was it possible for the State to undertake to provide funds for the support of schools in those neglected districts, when all around them voluntary efforts and great local exertions were made? Were those places to be rewarded for their negligence with funds drawn from the Imperial Exchequer? Again, local authorities might administer economically funds raised by themselves; but there would be no limit to their liberality and generosity when they dealt with funds supplied by the State. Again, the Revised Code had greatly reduced the payment formerly made for each child educated at the schools assisted by the State. That payment had been about 11*s.* 6*d.* per head on the average attendance, but it was reduced to 8*s.*—afterwards to 9*s.* — under the Revised Code. Some of the schools had suffered in efficiency in consequence, while others, even under the reduced rate, received more than they actually required, and might support themselves with a much smaller amount of State aid, and even in some cases with none at all. How were these things to be remedied? It was impossible to intrust a central Department with the power of giving every school a sum, varying in their opinion, with its peculiar wants. It seemed, therefore, absolutely essential that some local body should have an elastic power of supplying by a rate the funds requisite in such cases. In districts like London the contribution to be raised by a rate in addition to the Government Grant would be extremely small; in the country districts it would necessarily be greater. That question was a very large one. He fully accepted the statement of the President of the Council that the number of parishes which had frequently appeared in print as not receiving State aid —namely, 11,000—was exaggerated. He did not then wish to enter into the question of the educational destitution existing in many of the large towns. Beyond all question, they had in London, at any rate, immense districts, numbering their tens of thousands of population, without any school at all. How they should be provided with schools was a matter of the utmost importance, and it was because he was anxious that it should be properly considered, and considered once for all, that he proposed that Bill, which seemed to him to provide fully for the ultimate needs of the case, which respected and enabled them to avail themselves to the utmost of all that had been already done, which respected the religious convictions of all classes of the people, and which, over and above the aid given by the State, would supply the local funds and local administration for the wants of all their population. He believed that the advantage of calling forth that local effort would be far greater than any disadvantage which might arise from the presumed unfitness of local authority in many cases to discharge such functions; and they knew by experience what the effects of such a Bill as that had been in Scotland. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

MR. GATHORNE HARDY said, that the right hon. Gentleman was aware that the Government would offer no opposition to the introduction of the Bill, and, though they were desirous to have a full discussion on the details of the measure, they did not think the present moment an advantageous opportunity for the purpose.

Motion *agreed to.*

Bill to provide for Elementary Education in England and Wales, *ordered* to be brought in by Mr. HENRY AUSTIN BRUCE, Mr. WILLIAM EDWARD FORSTER, and Mr. ALGERNON EGERTON.

Bill *presented,* and read the first time. [Bill 64.]

SUPPLY.

MR. DARBY GRIFFITH called attention to the Answer he had received at an earlier period of the evening, with reference to the introduction of the Mutiny Bill, and complained that that measure was always introduced more or less under the influence of the Horse Guards, rather than in the constitutional manner in which other measures were introduced by the Government. He trusted that his right hon. Friend would understand that he meant nothing personal in his remarks, for he acknowledged the courtesy with which his right hon. Friend treated every Member of that House; but, in a constitutional point of view, what he had to urge was very vital. It was only by the special permission of Parliament, renewed every year, that a standing army was allowed to exist; and, in reference to the legislation for the army for the ensuing year, it was important to have everything fair and above-board. It was one of the most fundamental rules of the House that every Bill should be printed and in the hands of Members before the second reading, and it was therefore not right that the House should be asked to agree to a Bill before knowing what it was. If the Mutiny Bill were not introduced in a form in which hon. Gentlemen could take exception to any of its provisions on the second reading, it would be opposed at every stage.

Sir JOHN PAKINGTON briefly explained that the hon. Gentleman was under an entire delusion in supposing that the Horse Guards had anything whatever to do with the Parliamentary arrangements respecting the Mutiny Bill. The custom had only been recently introduced of printing the Amendments to the Bill; but he had undertaken that all the alterations intended to be introduced should be in the hands of hon. Members before the second reading of the measure, and he thought that this was all that the hon. Member could reasonably expect of him.

Supply—*considered* in Committee.

(In the Committee.)

1. £48,479 8*s.* 8*d.*, Excesses of Army Expenditure.

2. £90,619 13*s.* 9*d.*, Excess of Naval Expenditure.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Ways and Means—*considered* in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the Service of the years ending on the 31st day of March 1867, and the 31st day of March 1868, the sum of £362,398 19*s.* 9*d.* be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

House *resumed.*

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

COUNTY COURTS (ADMIRALTY JURISDICTION) BILL.

(*Mr. Norwood, Mr. Headlam, Mr. Candlish.*)

[BILL 33.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Norwood.*)

Sir ROUNDELL PALMER said, that if it were the opinion of the Government that this measure ought to be read a second time he was far from objecting; but he thought it would require very great alteration in Committee, if, indeed, the House would not eventually have to consider whether it ought at all to become law. He had already presented a Petition from the Incorporated Law Society against the Bill, and he knew that two, at least, of the solicitors of Liverpool most largely conversant with this class of business were also adverse. The Bill proposed to give a general Admiralty jurisdiction up to £500 to the County Courts. At present, Admiralty business proper was confined to the Court of Admiralty, and it would be a very considerable anomaly if Parliament gave all the County Courts a jurisdiction up to £500, when it had not yet been thought convenient to give any general jurisdiction in this class of cases to the Superior Courts of Law or Equity. He wished to ask the Attorney General, whether the Government were of opinion that the Bill ought to be read a secondtime?

Mr. STEPHEN CAVE, in explaining the action of the Government upon the subject of the Bill, stated that the provisions of the measure were similar to those contained in a Bill which was introduced last year, but not passed. There was no doubt great truth in the objection of the hon. and learned Member, and it seemed, in the first instance, advisable that no change should be made until the Report of the Commission. During the present year however deputations from most of the principal seaports had waited upon the Government, and had expressed a very strong opinion upon the inadequacy of the present local Courts and the expense of taking small shipping cases before the Court of Admiralty. Such an expression of opinion could not fail to command the attention of the Government, and therefore, when the hon. Member for Hull brought forward his Bill, the Government determined to consent to its second reading. The proceedings *in rem* were no doubt peculiar to the

Court of Admiralty, but salvors could now seize ships through the receivers of wreck, and, as a matter of fact, the decisions of the present local Courts were so unsatisfactory, and the delay and expense of the Admiralty Court so great that shipowners submitted to any extortion as the least evil. These malpractices had prevailed to such an extent as to become a scandal, not only in this country, but on the Continent. Any objection to the measure which might come from so high an authority as the hon. and learned Member for Richmond would, of course, receive full weight. In assenting to the second reading of the Bill, the Government merely wished to show that they fully recognized the want of proper tribunals to determine small shipping cases, and the necessity for giving, he would not go so far as saying to County Courts, but to some reliable local Courts, an Admiralty jurisdiction in such cases. The hon. Member for Hull had consented to postpone the Committee upon the Bill until the Friday after Easter, which would afford ample time for consideration of its details.

SIR GEORGE BOWYER, without opposing the second reading of the Bill, pressed upon the House the advisability of abolishing the present Court of Admiralty, and of transferring its jurisdiction to the Common Law and Equity Courts.

THE ATTORNEY GENERAL said, that the hon. Baronet who had last addressed the House would be glad to hear that a Commission was now sitting which had power to determine the advisability of giving a general Admiralty jurisdiction to the Courts of Common Law and Equity. The want of proper tribunals for determining minor shipping causes was, however, so pressing that it was deemed advisable for the Government to assent to the second reading of this Bill, by which power would be given to the County Courts to determine them. Of course, the power of arrest which it was proposed to bestow upon the County Courts required to be watched with a great deal of care and jealousy, and he should do his best before the Bill went into Committee to make such Amendments in it as would make it work, at all events, for the present, in the hope that hereafter some steps would be taken to confer a general Admiralty jurisdiction upon the Superior Courts.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday,* 24th April.

COMPULSORY CHURCH RATES ABOLITION BILL.

(*Mr. Gladstone, Sir George Grey, Sir Roundell Palmer.*)

[BILL 13.] CONSIDERATION.

Bill, as amended, *considered.*

MR. HENLEY moved to omit the words "to vote upon any question as to making any such voluntary rate," in Clause 7, line 21, on the ground that such disqualification would only put people's backs up. He thought it would be unwise to exclude permanently persons who did not subscribe during one year; for by such a proceeding many subscriptions might be lost, and his Amendment was intended to prevent such a result.

Amendment proposed, to leave out the words "to vote upon any question as to making any such voluntary rate, or."—(*Mr. Henley.*)

SIR ROUNDELL PALMER objected to the Amendment. In his opinion, the proposal of the right hon. Gentleman the Member for Oxfordshire would cause a material disturbance of the general arrangements as proposed by the Bill. The clause was about as mild and moderate a clause of its kind as could possibly have been devised: and if it was right in principle, this was, probably, the most unobjectionable portion of it.

Question, "That the words proposed to be left out stand part of the Bill," put, and *agreed to.*

Bill to be read the third time *To-morrow.*

REFORMATORY SCHOOLS (IRELAND) BILL.

On Motion of The Earl of MAYO, Bill to amend the Law relating to Reformatory Schools in Ireland, *ordered* to be brought in by The Earl of MAYO and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 65.]

GRAND JURY PRESENTMENTS (IRELAND).

Select Committee *appointed,* "to inquire into the several Laws under which monies are now raised by Grand Jury Presentments in Ireland, and into the nature and incidence of all charges levied under such Presentments, with the view of ascertaining what alterations might beneficially be made in these Laws."—(*The O'Conor Don.*)

And, on March 20, Committee *nominated* as follows:—The O'CONOR DON, The Earl of MAYO, Mr. CHICHESTER FORTESCUE, Mr. DAWSON, Sir CHARLES LANYON, Mr. MAGUIRE, Colonel FORDE, Mr. LEADER, Mr. BLAKE, Mr. GREGORY, Sir COLMAN O'LOGHLEN, General DUNNE, Colonel COOPER, Lord JOHN BROWNE, Mr. KENDALL, Mr

Knatchbull-Hugessen, and Mr. Herbert:—Power to send for persons, papers, and records; Five to be the quorum.

LEE RIVER CONSERVANCY BILL.

Select Committee on the Lee River Conservancy Bill *nominated*:—Lord John Hay, Mr. Ayrton, Mr. Benyon, Mr. Alderman Lawrence, and Mr. Henry Surtees:—Power to send for persons, papers, and records; Five to be the quorum.

Ordered, That all Petitions relating to the Lee River Conservancy Bill be referred to the Select Committee on the Bill, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions:

Ordered, That the Second Report of the Rivers Pollution Commissioners (River Lee), presented upon the 30th day of April 1867, and the Evidence thereon, the Report by Captain Tyler on the East London Waterworks Company, presented upon the 31st day of May 1867, and the Report and Proceedings of the Committee on the East London Water Bills, &c., laid upon the Table upon the 27th day of June 1867, be referred to the Select Committee on the Bill.—(*Mr. Stephen Cave.*)

House adjourned at Eight o'clock.

HOUSE OF COMMONS,

Wednesday, March 18, 1868.

MINUTES.]—Select Committee—On Public Accounts, Mr. Sclater-Booth *added.*

Supply—*considered in Committee*—*Resolutions* [March 17] *reported.*

Ways and Means—*Resolution* [March 17] *reported.*

Public Bills—*Ordered*—Consolidated Fund (£362,398 19*s.* 9*d.*)*; Tancred's Charity.*

First Reading—Railways (Guards' and Passengers' Communication* [66]; Tancred's Charity* [67]; Consolidated Fund (£362,398 19*s.* 9*d.*)*; Court of Appeal Chancery (Despatch of Business) Amendment* [68]; Ecclesiastical Commissioners Orders in Council* [69].

Second Reading—Sale of Liquors on Sunday [12].

Referred to Select Committee—Sale of Liquors on Sunday [12].

Considered as amended—Sea Fisheries* [42]; Fairs (Ireland)* [48].

SALE OF LIQUORS ON SUNDAY BILL.

(*Mr. John Abel Smith, Mr. Bazley, Mr. Baines.*)

[Bill 12.] Second Reading.

Order for Second Reading read.

Mr. J. A. SMITH, in rising to move the second reading of this Bill, said, that although it might be considered presumptuous in him to attempt to legislate upon a question of such great importance, involving such varied interests and provocative of such excited feelings, he could assure the House that he was induced to do so because he honestly and conscientiously believed that the change which he sought to effect would produce a real and marked improvement in the habits of the people, that it would diminish the intemperance which now prevailed, and which caused so much crime, disease, and death. He felt he had no option but to endeavour, at however great a personal sacrifice, to give effect to his earnest and conscientious convictions on the subject. At the outset he wished the House to understand why he had resolved to take up only a small part of the question, rather than to deal generally with the subject of licenses. In his opinion nothing could be worse than the present licensing system; but he was persuaded that a great majority of the House would agree with him that that question was too large and complicated to be dealt with by a private Member. It was one that could only be properly handled by the Government, whose attention he had trusted it would soon receive. The late Home Secretary, however, having been unable to realize the hope held out last year that the Government would take up the subject of the licensing system, he (Mr. J. A. Smith) felt that the delay which must occur in regard to it would be protracted; and as, moreover, the alteration in the law which he now proposed, if adopted, would afford in its working an experience that would prove most valuable to the Government when they came to regulate that system, he had resolved to proceed with his Bill. In asking the indulgence of the House whilst he endeavoured to perform a difficult task, he could truly state that he did not approach this question in any ascetic or exclusive spirit, nor with any desire to limit the already too limited means of indulgence and enjoyment possessed by the working classes, in whose well-being, comfort, and improvement, he felt the warmest interest. He agreed with those who declared that no man was made moral by legal enactment; at the same time he was quite as strongly convinced that the morality, the industry, and the well-being of large classes were promoted and strengthened by wise legislation. He did not bring forward this question as a religious one. He neither doubted nor undervalued the effect of the observance of Sunday, on the religious tendencies, habits, and feelings of the working classes, but he asked support for the measure on social and economical rather than on religious grounds. Nevertheless, he could not but express his grateful acknowledgments to those who, holding strong views on the subject of Sabbath observance, had seen enough in the details of his Bill to induce them to give to him their full sanction and support; and he firmly believed that a contingent effect of his Bill would be to further those objects which they had so much at heart. He confessed that he should not have had the courage to undertake this task unless he had been fully persuaded that the feelings of the working classes throughout the kingdom were on the whole greatly in favour of the change he proposed. If he was mistaken in that opinion, all he could say was that he had taken all the pains and trouble in his power to arrive at the truth. By public meetings, by conversation, by personal visits, and all other available means, he had done his best to ascertain the real, earnest sentiments of the working classes on the subject, and had satisfied himself that, from one end of the country to the other, the respectable and thinking portion of the working men were now in favour of a total closing of pub-lichouses on the Sabbath. He did not, however, propose to go that length, and he thought it would be unwise to ask the House to make so great a change in the Law as that; but it was only right that he should state that almost all the working men with whom he had been brought in contact did not approve of his Bill unreservedly, thinking that it did not go far enough. Before stating the provisions of his measure it would be convenient that he should briefly trace the course of recent legislation on the subject. In 1830 a Bill called the Beer Bill was passed, which was amended in 1840. He would say nothing further of those Bills than that he believed it was universally admitted that they had failed to effect their object. The Act of 1830 was introduced to enable the poor man to buy good beer without the intervention, invasion, or opposition of the publican; but there could be very little doubt that such a result had not been obtained, and he was not surprised, having regard to the fact that both beerhouses and licensed victuallers' houses were equally under the control of the great brewers. In 1854 there was a most important Committee on the Beer Bill. It was composed of Gentlemen peculiarly adapted for the object of the inquiry, and whose character and position gave great weight in that House to the conclusions to which they came. The Report was drawn up by the right hon. Gentleman the Member for Wolverhampton (Mr. Villiers), the Chairman of the Committee, and among the valuable records of the labours of Committees of that House there were few which did more credit than this Report to the intelligence and industry of their Authors. The right hon. Member for Oxfordshire (Mr. Henley) was also a Member of that Committee, and they recommended that, with the exception of the hours from one o'clock to two o'clock, and from six to nine, all the houses for the sale of intoxicating drinks should be closed on the Sunday; and that on week days all houses should be closed from eleven p.m. to four a.m. The Report also contained recommendations for punishment by fine of any infringement of these regulations. Now, it was upon the Report of that Committee that he had ventured principally to found his Bill. The existing law was the result of the change which took place in 1855, under a Bill introduced by the hon. Member for Bristol (Mr. Berkeley), and it was to the effect that all houses for the sale of beer or spirits must on Sundays be closed until one o'clock, from which hour they remained open till three o'clock; from three o'clock till five they were shut up, and opened from five o'clock till eleven o'clock. This was on Sundays. What he (Mr. J. A Smith) proposed by this Bill to do was to shut up all public houses in England and Wales on the Sunday so far as drinking on the premises was concerned —giving them four hours, from half-past twelve to half-past two and from eight o'clock to ten o'clock, for the sale of liquor over the counter to those persons who might desire to buy it and take it home with them. He could not forget that, in the same year, a Bill became law at the instance of the right hon. Gentleman the present Chancellor of the Duchy of Lancaster, which went as far at least as the provisions which he (Mr. J. A. Smith) now ventured to suggest. That Bill was a very short Bill, but his right hon. Friend went abroad to command his regiment at Gibraltar, and the hon. Member for Bristol, alarmed at some meetings in the parks which were said to have been caused by the Bill, moved for a Committee, which sat, and whose deliberations resulted in the introduction of a Bill repealing Colonel Wilson Patten's Act. He felt justified in abstaining from entering into details or bringing forward statistics as to the evil effects of drunkenness, because it was admitted on all hands, that drunkenness was a source of misery and degradation to the working people, and the cause of a very large proportion of crime. He would now state as shortly as he could the convictions on which he acted in reference to this measure, and which formed the principles on which his Bill was founded. Those convictions were four. First, that drunkenness was in proportion always to the public facility for its indulgence. Secondly, that all restraints had been attended with beneficial consequences. Thirdly, that a most remarkable and most salutary change had taken place in the wishes and feelings of working men, and which it would be well and expedient for Parliament to give effect to. Fourthly, that it was undesirable in theory and policy to keep open public-houses on that day, on which the effect of so doing was most injurious, and that there ought to be no exception in favour of their being open on a day on which all other traffic was interdicted and every other shop closed by law. He would take these four grounds in detail, and state the evidence by which he supported them. The evidence was incontestable and undeniable that drunkenness was in proportion to the public facilities for its indulgence. Everyone who took an interest in the drinking trade was aware that Liverpool stood pre-eminent in its attachment to free trade in beer. The licensing system there had been gradually done away with, and free trade in drink in that town had been the practice for years past. The result of that system had made a deep impression on his mind. He held in his hand a list of towns, being either ports or other places of industry, very fairly selected for comparison with Liverpool, and he found that in Liverpool, which had 12½ times as much population as South Shields, there were 17 times as many drunken cases. Liverpool had 13 times as much population as Tynemouth and 24 times as many drunken cases. With 5 times as much population as Sunderland, it had 14½ times as many drunken cases; with 4 times as much population as Newcastle, it had 11½ times as many drunken cases; with 4½ times as much population as Hull, it had 14½ times as many drunken cases; with 13 times as much population as Yarmouth, it had 65½ times as many drunken cases; with 9 times as much population as Southampton, it had 53 times as many drunken cases; with 3 times as much population as Bristol, it had 21½ times as many drunken cases; with 7½ times as much population as Sawansea, it had 57 times as many drunken cases; with 8½ times as much population as Birkenhead, it had 19½ times as many drunken cases; and with 4½ times as much population as Portsmouth, it had 49 times as many drunken cases. He thought that he had stated enough to satisfy the House of the truth of his first position, that drunkenness was in proportion to the facilities for its indulgence. With regard to his next position, that all past restraints had been attended with beneficial results, he could say that he never yet heard of a single case in which the effect was otherwise than beneficial; but in connection with this part of the subject, he was furnished by the hon. Member for Edinburgh (Mr. M'Laren) with statistics relating to Scotland to which he could appeal with confidence. Taking four periods of four years each, since January 1851, it appeared that in the first four years, when the Forbes Mackenzie Act had not yet been passed, that the consumption of spirits in Scotland was 27,660,000 gallons. In the next four years after the passing of the Act the consumption of spirits was reduced to 22,674,000 gallons. In the third period of four years it was reduced to 19,572,000 gallons, and in the last period of four years the consumption of spirits in Scotland did not exceed 19,512,000 gallons, showing a decreased consumption of spirits in Scotland since Forbes Mackenzie's Act came into operation of 2,036,924 gallons per annum. The effect on crime in Edinburgh by the closing of public-houses on the Sunday was hardly less remarkable. In the Report of the Royal Commission of 1860 it was stated—

> "In the City of Edinburgh, the closing of the public-houses on Sunday has caused quite a social revolution in favour of public decency on Sundays. According to police statistics published by the City magistrates it appears that since 1853 the cases of drunkenness taken up on all the days of the week had diminished from 5,727 to 2,313, the number during Sundays from 729 to 223, and the number from eight o'clock on Sunday morning to eight o'clock on Monday morning from 401 in 1852 to 42 in 1866. It has been of incalculable value in improving the habits of that portion of the people who formerly outraged public decency."

These facts had led him to the conclusion that previous legislation for the restraint of liquor traffic on Sunday had been attended with beneficial results. His third position was, that on this subject a remarkable and most salutary change had taken place in the wishes and feelings of the working men, which it would be expedient and wise for Parliament to regard. He was not so blind as to imagine that the House of Commons would have sufficient confidence in him to accept his conclusions on such an important point; but he rejoiced that he could appeal to evidence which would have the greatest weight in that House. He would appeal with confidence to every hon. Member who represented a large constituency in England or Wales to support his assertion that a large majority of the working classes among their constituents were in favour of closing public houses on Sundays. He could speak from his own knowledge, of this feeling in Manchester. He knew that the hon. Gentleman who was lately elected there found an almost unanimous feeling in favour of closing public-houses on Sunday. [Mr. JACOB BRIGHT: Hear, hear!] He (Mr. J. A. Smith) knew that at Liverpool, Birmingham, Sheffield, Darlington, and every large town in England and Wales, he might appeal with confidence to the working men as to their feelings on this subject. If his statement were confirmed—as he was confident it would be confirmed, especially by those acquainted with the northern districts—he trusted that he would be thought justified in his third conclusion. He now came to his last point. It did appear to him utterly indefensible that, on the days when the effects of drinking were more obnoxious than on any other—for it was admitted that Sunday drunkenness was worse than that on any other day, being more general and more deep—an exception should be made in favour of public-houses, when other trades were interdicted. He knew how difficult it was to make a change in a system that had become established; but he appealed with confidence to the great power of public opinion. He would remind the House of the extraordinary support which proposals for this change had met with throughout the country. Some years ago a Bill was introduced by Mr. Somes, then Member for Hull, for the total closing of public-houses on Sunday. In favour of that Bill there were presented petitions with very nearly 1,000,000 signatures attached. Last year petitions with the same prayer were presented with 400,000 signatures; and though he could not state the exact number of names attached to petitions of the same kind presented during this Session, he knew that they considerably exceeded 200,000. Therefore 1,600,000 people had petitioned in favour of the closing of public-houses on Sundays. He would now add a word upon the way in which the people of London would be affected by the change proposed in his Bill. He had left this till the last, because he had made great exceptions in favour of London, having regard to the peculiar habits of its inhabitants. In London, too, the power of the publicans was most extensive. He wished distinctly to be understood that he did not join in any cry against that useful and respectable class of men. He had the satisfaction of ranking among them many of the warmest supporters of his Bill, and he believed that, as a whole, they were emenently deserving of respect. Still, such of them as were opposed to any further restriction on the sale of liquors exercised great power, and he was, therefore, not surprised at the notice given by the hon. and learned Member for Southwark (Mr. Locke) of his intention to oppose the Bill. At the same time it was but fair to tell his hon. and learned Friend that, if but one half of the statements made at a large meeting in Southwark on Monday night were true, it was more than questionable whether the hon. and learned Member had, on the present occasion, shown his usual tact in choosing the strongest side. He could not imagine a more important document than that addressed to the First Minister of the Crown by upwards of 200 magistrates in favour of the present Bill, and of the many remarkable petitions presented on the subject of his Bill there was one to which he could not forbear from alluding. It was the petition of nearly 500 publicans and beershopkeepers in London, who stated that the passing of such a Bill would be the greatest blessing and boon to them. There was also a petition which had given him the greatest satisfaction, and which would be regarded, no doubt, with special favour by the House. It came from Chester, and was signed by about 5,000 women belonging to the working classes, who stated that they approved of the Bill and that they, of all persons in the world, were the most interested in the matter. There were other petitions, to the contents of which he might allude, but he did not wish to trouble the House with them. He would wish the House to observe that there had never been, in his recollection, any measure which had called forth such a feeling of interest among the working classes as that now before them. He believed the question to be intimately connected with the best interests of the working classes; he believed that they were desirous to have a change in the law; and he believed that they would be willing to take the salutary advice offered to them by the hon. Member for Birmingham (Mr. Bright), and for which he (Mr. J. A. Smith) personally thanked him. He could not sit down without impressing on the House the importance of the questions involved in the legislation he now proposed. He did not believe that the House or the country generally was aware of the enormous interests involved in this question. He found from a Report of the Inland Revenue Commission that there were now something like 166,000 people employed in the sale of beer and spirituous liquors on Sundays. For the purpose of calculation he would take the number of persons concerned at 100,000, and supposing that each of them took in the way of business only £3 per day—though many of them received very large sums—the annual amount of money expended would be more than £15,000,000 sterling. He asked the House to think for one moment how great would be the benefit if what might be purchased with even one-half of this sum went into the bellies and on the backs of the children of working men. But there was one other circumstance to which he wished to refer. Last year an estimate was made, at the request of the Austrian Vice Consul at Manchester, as to the annual value of all the spirits, beer, and wine consumed in England. The estimate was very carefully made, and it appeared that there were consumed during the year 20,811,000 gallons of British spirits, 6,732,000 gallons of colonial and foreign spirits, 11,990,000 gallons of wine, 59,138,000 bushels of malt, which was estimated to produce 20,249,000 barrels of malt liquor. The cost of the liquors to the consumer might be taken at 20*s.* per gallon for British spirits, 25*s.* per gallon for colonial and foreign, 18*s.* per gallon for wine, and 1*s.* 4*d.* per gallon for beer. The working out of the estimate would show this result:—British spirits were drunk and consumed to the value of £20,811,000, foreign and colonial spirits to the value of £8,415,000, wines to the value of £10,791,000, malt liquors to the value of £48,599,000, making a gross total of £88,616,000. There was one terrible fact which he had omitted, and which he would now adduce, as it had immediate reference to the question of drunkenness, and bore directly on the habits of the poor, and it was this, that in Liverpool, during one twelvemonth, 143 children were suffocated by their mothers overlying them, and that in three-fourths of the cases the suffocation took place between Saturday night and Monday morning. He asked the House to sanction the principle of the Bill by reading it a second time. He besought them to do so in the name of social, of economical, and of religious progress. He asked it in the name of those magistrates who had given to the proposal all the weight of influence arising from their official character and experience. He asked it in the name of those hundreds of thousands of persons who had petitioned in favour of the Bill. He asked it in the name of those wretched and degraded men who were the victims of the miserable habit of drunkenness, and who felt and dreaded the temptations to which they were exposed, but were not strong enough in power of self-restraint to resist them, and who therefore required the assistance of Parliament in order that those temptations might be taken away. He asked the House to support him in what in his conscience he believed to be a moderate and reasonable attempt to overcome the most fatal and powerful obstacle in the way of all progress. He implored the House in the name of humanity at least to make an attempt with him to overcome this enemy and to get rid of this evil, which was the evil of all evils, which must be got rid of before any other evil could be completely and fairly grappled with, and any permanent improvement effected in the habits of the people.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. A. Smith.*)

Mr. LOCKE said, he was sure that the House must feel very much indebted to the hon. Member for the able manner in which he had introduced the question. He (Mr. Locke) had only one fault to find, and that was that the hon. Member did not give him the same credit as he gave the hon. Member—of acting from the purest motives. The hon. Member suggested that he (Mr. Locke) had been looking about to find out the strongest side, and had made a mistake after all. Now, the truth was that his opinions on this subject had never varied. He had always considered that the attempt to make people sober by legislation must necessarily fail. The question now before the House was not, whether drunkenness was a bad thing—for everybody admitted that it was—but, whether the present Bill would prevent the spread of that vice. Both here and at the meeting in Hanover Square yesterday, statistics of drunkenness had been given by his hon. Friend, who had referred to Liverpool, where he said drunkenness was very extensive indeed, and made calculations to show that drunkenness prevailed in Liverpool much more than in any other town in this country. Now, Liverpool, he (Mr. Locke) believed, was under precisely the same law as the rest of England; but the hon. Member meant, he supposed, to say that there were more public-houses in Liverpool, and that was why there was more drunkenness. But his hon. Friend entirely omitted to refer to the fact that Liverpool was one of the greatest ports in this country, and indeed in the world. There were as many Americans and Irish in Liverpool as there were English. There were persons coming from all quarters of the world; and he maintained that the drunkenness in Liverpool was not the consequence of the facilities for drinking, but of the class of persons who came there, and who wanted to drink. He therefore held that the argument founded on the case of Liverpool failed, and that the first proposition of the hon. Member had not been proved. But the hon. Member had referred to the Forbes Mackenzie Act. Now he (Mr. Locke) was not in possession of precise statistics of drunkenness in Scotland. They were not, he believed, to be had. If a statement could have been obtained in regard to Glasgow and Edinburgh and other large towns to show the number of persons punished for being drunk, no doubt his hon. Friend, considering the time he had been engaged in this matter, would have obtained it. What, then, did his hon. Friend rely upon? He relied on the quantity of spirits consumed in any particular place. He (Mr. Locke) was not aware how that could show in any satisfactory manner what the amount of drunkenness had been. Nor had the hon. Member shown that drunkenness was on the increase. They had a right, therefore, to assume that it was diminishing. He (Mr. Locke) believed that the statistics furnished by Sir Richard Mayne would show that the proportion of persons taken up for drunkenness and fined was very much less than formerly, and in fact bore an exceedingly small proportion to the bulk of the population. If that were so, why legislate? The next proposition of his hon. Friend was that the working classes were in favour of a restrictive Bill of this sort. Now this, in his opinion, was certainly not paying any very great compliment to the working classes. There was no law in this or any other country compelling a man to drink whether he would or no; nor could such a law be enforced if it existed. But his hon. Friend said the working classes had so little power to restrain themselves that, whether they liked or no, they must go and get drunk. The great bulk of the working classes needed no such protection as the hon. Member was desirous to give them. They were not such children as many of their professed friends would lead the House and the country to believe. They had as much sound sense as their Friends in that House, and probably more. What would his hon. Friend the Member for Lambeth (Mr. Thomas Hughes) think if it were proposed to shut up his club on Sundays, lest he should enter into temptation? The Bill proposed that there should be one law for the people of Lambeth and another law for the Member for Lambeth. The hon. Member for Chichester had said he was present on Monday night at a meeting in Southwark; but that was a mistake—the meeting took place in Lambeth. He ventured to assure the hon. Member that the great body of the working men would not thank him for such a Bill. He altogether denied the position laid down by the hon. Member—that because drink could be obtained they would go and drink to excess. They could take much better care of themselves. He had met a working man only this morning casually, and asked whether the labouring classes were in favour of this Bill, and was told they were not. He had also asked the opinions of other working men—respectable, sober men—and they assured him they were decidedly opposed to legislation of this kind, and that the measure would be very unpopular. The views he had expressed he had long entertained. They could not by legislation of this sort make men sober. The next proposition of his hon. Friend was incorrect. It was said every other trade was stopped on Sunday. What did the hon. Member say to cabs and omnibuses? Did not they run on Sundays? Are all the places where people ate and drank closed on Sundays? Were tobacconists' shops closed? The number of shops in which cigars are sold on Sundays was very great. The revenue derived from tobacco, the effects of which he believed were not very beneficial, was betwen £6,000,000 and £7,000,000. The quantity consumed must, therefore, be very great. When his hon. Friend talked of the amount spent on intoxicating drinks, it should be borne in mind that the revenue from these drinks and from tobacco amounts to nearly two-thirds of the whole revenue of the country. What did the great consumption of such articles prove? Only that people were richer than they formerly were. The working classes received higher wages, and, therefore, they spent more in these comforts and luxuries of life. Having said so much with regard to the four propositions of his hon. Friend, in all of which he (Mr. Locke) maintained the argument in support of this Bill had entirely failed, he would now say a few words on the Bill itself. It was very short; but those who had only taken it up that morning for the first time would have some difficulty in understanding it. For a short Bill he must say it was, without exception, the most incomprehensible he ever met with, His hon. Friend, probably because he was not a lawyer, did not attempt to explain its details. He dilated most ably, no doubt, on all the general arguments which had been adduced for the last thirty years, but they had been worn threadbare, and, after all, the question arose: What would be the effect of this Bill? The Bill consisted of one clause, but no one could understand that one clause unless he took the trouble to carefully look into three separate Acts of Parliament. The first of these Acts, the 18 & 19 *Vict.*, c. 118, was that at present in force; the second was the 9 *Geo.* IV., c. 61, commonly called the Licensing Act, which gave the hours during which public-houses should be allowed to remain open on the Sunday, as from one to three o'clock in the afternoon, and from five to eleven o'clock in the evening, making eight hours. Then came the Act 17 & 18 *Vict.*, c. 79, which enacted that the number of hours should be reduced to five and a half, namely, from one to half-past two in the afternoon, and from six to ten in the evening; but that Act, which was passed in 1854, was, after inquiry by a Committee, repealed in the following year. The promoter of that measure (Colonel Wilson-Patten) would never have introduced it if he had thought it would prove so unpalatable to the people; and remembering what then occurred, he (Mr. Locke) thought perhaps the little Bill now under consideration might light a fire which would burn, not its author, but itself. His hon. Friend said this was a very small Bill; but the question involved was by no means a small one. The repeal of Colonel Wilson-Patten's Act threw them back on the Act 9 *Geo.* IV., c. 61, called the Licensing Act. His hon. Friend said there were great defects in the licensing system, and this Bill would show the right way to deal with it—that it was like a rocket sent up to show the direction which legislation should take. But he (Mr. Locke) believed that if the Government brought in a new Licensing Act they would treat the subject in a more artistic way. He was desirous that the whole question of the licensing system should be considered; but it should be treated in a statesmanlike manner. The statesmanlike way of dealing with a question of that kind was to introduce a general measure, and not to look only on one small point. There was no pretence for saying that drunkenness had increased; he believed that, as he said before, it had decreased; and why? In the first place, it was owing to the education of the people, and next to the fact that they were better off. People resorted to drink because they were unhappy and wanted to drown care. The well-to-do man, earning good wages, was much less likely to be a drunkard than he who was scrambling along, hardly able to keep soul and body together. It was the ragged and the wretched that generally resorted to the gin-shop; the bulk of the respectable working classes did nothing of the sort; but if they wanted spirits they had a right to have them just as much as Members of that House. Well, what was the proposal of his hon. Friend's Bill? That public-houses should be open from one till half-past two, and remain closed from that time till eight o'clock in the evening. His hon. Friend considered that that would be a great boon to the working classes. Public-houses in the country were to remain closed during the whole day so far as the consumption of beer, wines, or spirits on the premises was concerned, and during the three and a half hours they were open, wine, beer, and spirits could only be sold for consumption off the premises. Had his hon. Friend turned his attention to the inconvenience that had been created by enactments of this description? There was a long list of cases in which parties had gone into public-houses and purchased liquors to be consumed off the premises but drank them at the counter, upon which a policeman made his appearance, and the publican, who had been imposed upon, incurred a penalty. That was at present the case with beerhouses. This Bill would introduce that state of things into every house licensed by the magistrates. Again, everybody did not wish to buy beer or wine at precisely the same hour on Sundays, and great inconvenience would be occasioned by compelling people to buy their dinner-beer in the very short period allowed by the Bill. According to the Bill public-houses were to close at ten o'clock. Such a regulation had been found highly objectionable under the Bill of 1854, and would certainly be very awkward and inconvenient in the large provincial towns. Excursion trains generally arrived about ten o'clock, and after that hour no person was to be able to procure refreshment at a public-house. What was the meaning of the proviso in the Bill—

> "This Act shall not preclude a person licensed to sell any fermented or distilled liquor to be consumed on the premises within the metropolitan police district from selling to a person lodging in his house, or to travellers, or to persons *bonâ fide* taking a meal at his house during the time of such meal?"

Certainly they did not require an Act of Parliament to allow a lodger to get a glass of beer in the house where he lodged. He could always eat and drink where he lodged. The lodger, who had great political advantages given him last year, might, so far as this Bill was concerned, say to the hon. Member, using a vulgar expression, "Thank you for nothing!" Then that extraordinary character, the *bonâ fide* traveller, was to still be protected. How delighted he must be that he did not yet come within the clutches of the hon. Member. Many of the supporters of the Bill were not satisfied with it. It was looked upon by them as only an instalment—as a step in the right direction. A proposition had been made to stop all railway travelling on Sunday, and what would then become of the *bonâ fide* traveller? But liquors were also to be sold to persons taking a meal at the house of a licensed victualler, and "during the time of such meal." Now drinking during meals was not supposed to be very beneficial; but his hon. Friend was endeavouring by Act of Parliament to compel every man who wanted a meal in a public house at a particular hour to drink during his meal or not at all. Never was there anything so tyrannical. That famous surgeon—what was his name?—who used always to prescribe blue pills, laid down the inflexible rule, "Never drink during your meals, if you wish to have health and strength to carry you through your avocations in this world." Savages, he was told by his friend from Australia (Mr. Marsh), acted upon that principle, and having no licensing Act, and not having the hon. Member to regulate their consciences, they were a most healthy people. But Abernethy did not stop there; he said, "Do drink afterwards." Moreover, he recommended a full tumbler of beer or ale if it did not disagree with a person, but that those who were in the habit of drinking their wine after dinner should continue to do so; and a pleasant old English custom that was. That, however, was to be abolished, and he did not really know what was to become of us all if the most tyrannical enactments were to be applied to every custom of domestic life and usage. Every man who thought another ought to do as he liked provided he hurt nobody else—and that was the law of common sense—was always being told that he was no friend of the working classes; but the true friend of the working classes said of them that they did not know what they were about—that they were miserable children who must go in leading strings, and be taught how every act of their lives was to be performed. These were the views he had always entertained on this subject; he had expressed them freely to his constituents when he stood for the borough of Southwark in 1857. They were approved then by his constituents, and he believed, in spite of the hon. Member for Chichester (Mr. J. A. Smith), they would be approved by them again. He was not to be influenced by any intimidation of the sort which the hon. Member had employed. He asked the hon. Gentleman to take back his Bill, to re-consider the question, and not to be too hasty in his attempts to legislate on such a subject. The Bill, if passed, instead of being of service to the country, would have a most dangerous effect. Although the number of petitions in favour of the Bill was greater than that against it, nevertheless the number of signatures in opposition to the measure was vastly larger than that of the signatures in its support. In nine months the promoters of the Bill had succeeded in obtaining 2,440 petitions in favour of it, signed by 208,166 persons, while in three weeks the working classes opposed to it had sent in petitions to which 500,000 signatures were attached. The hon. Member had greatly mistaken the character of the working classes, when he represented them as requiring perpetual looking after, and as being unable to take care of themselves. In his (Mr. Locke's) opinion, the working classes possessed plenty of good sense and discretion, and to tell men, in whose hands the franchise had been placed by the Act of last Session, that they required a Bill of this kind to protect them against themselves was to insult them. He begged to move that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Locke.*)

Mr. LABOUCHERE, in seconding the Amendment, said, that he opposed the Bill for many reasons. In the first place he thought that drunkenness would be materially increased by the enactment of this measure. He did not think that the hon. Member for Birmingham (Mr. Bright) in speaking upon this subject, had treated the licensed victuallers very fairly. When he asked "Why don't the licensed victuallers compromise the matter?" he ought to have known that the promoters of the Bill, so far from being willing to accept a compromise, looked upon this measure as simply a step in the right direction, to be followed up by further legislation. He (Mr. Labouchere) was certain that if the licensed victuallers believed that, by any action of theirs, the peace and decency of the Sunday could be better secured they would cheerfully give their assistance towards securing those results; but it was impossible to suppose that the public interests would be served by requiring all the inns and refreshment rooms throughout the country to be closed during the whole of the Sunday. The licensed victuallers could not accept the restrictions which the Bill proposed to effect. They had invested their capital in their public-houses upon the faith that Parliament was not going to pursue a see-saw policy—to open the public-houses at one time and to shut them at another. It was true that petitions had been presented in favour of the Bill; but he asked the hon. Member whether it was not the fact that a large number of the signatures attached to them were those of young girls at school. The hon. Member said that all the women were in favour of the Bill, but he could tell him that the greatest drinkers of gin in the metropolis were the women. ["Oh, oh!"] It often happened that when the working man went to his work in the morning, leaving a shilling with his wife to provide food for the family, she immediately went with two or three other women to get a quartern of gin. The reason why the hon. Member did not wait until next Session to introduce such a Bill was because he knew that the working classes, who would be largely represented in the next Parliament, were opposed to it. A clerical friend had assured him (Mr. Labouchere) that there was a general feeling among the working men against the measure. The hon. Member spoke of the money wasted on drink by the working classes on Sunday; but was not a far larger sum wasted on the Saturday night and on the Monday and Tuesday; and he should like to know what proportion of their incomes hon. Gentlemen wasted? ["Oh!"] He denied that any more drunkenness takes place on Sunday than on other days. It had been clearly shown that, while more beer was drunk on the Sunday, there was a less consumption of spirits. The hon. Member said he did not wish to introduce the religious question into the discussion; but without doing so it was impossible to make out a case for closing public-houses on the Sunday. The Archbishop of York said yesterday, at the Hanover Square Rooms, that what he wanted was that "God's day should be entirely devoted to God's work." No one could deny the excellence of that wish; but it must be applied to the clubs as much as to the pot-house. They must not deprive the working man who made an excursion to Richmond from obtaining refreshment, whilst his richer neighbour was regaling himself at the Star and Garter. It was all very well to say that club houses were private houses: the working man could not enter into the nice distinction that was drawn. He should like to know how many persons were employed on Sundays at the clubs; for it was well known that a Member could go into a club at any hour on a Sunday and have his glass of ale or wine. The promoters of this movement had no right to obtain a verdict on a false issue.

The real question before the House was whether the State had the right to prevent the innocent use of alcoholic beverages in order to put an end to their injurious use. He was opposed to all sumptuary laws, and he thought by passing this Bill they would be setting an exceedingly bad example to the next Parliament by reversing the policy pursued of late years with regard to those prohibitory Acts. A law that was passed in advance of public opinion was entirely inoperative. Hon. Gentlemen who were in favour of prohibitive laws for the sale of intoxicating liquors frequently quoted the example of America; but what had been the experience of America upon that subject? In Massachusetts public opinion had changed, and a Select Committee of the State Legislature had reported against the Maine Liquor Law, because it led to the opening of secret drinking-places, and increased drunkenness. The chief of the police at Boston represented that in 1854, the year before the adoption of the Maine Liquor Law, the number of known places where liquors were sold was 1,500, and that in 1866 they had increased to 1,515, whilst the number of drunkards had increased from 6,983 to 15,543 within the same period. And what reason was there to doubt that the same results would follow in this country? It might be desirable to have some alteration in the existing law, but he disagreed with the proposed plan. Drunkenness might be much diminished by altering the licensing system, and if the promoters of this movement were to make the licensed victuallers their allies rather than their enemies they would very soon put an end to that vice. The interests of the licensed victuallers were bound up in sobriety. [*Laughter.*] Hon. Members might laugh, but it was so. Any man could get drunk in his own house or in that of his neighbour, and neither of them could be punished; but if a publican permitted drunkenness on his premises he ran the risk of losing his license and of being ruined. No doubt there were disreputable publicans, but the respectable portion were not to be condemned on that ground. The hon. Member for Oldham (Mr. Hibbert) had informed him that he proposed to move an Amendment in Committee if the Bill was read a second time, and he (Mr. Labouchere) wished to know if the promoters of the Bill would accept it, because it would have a material effect on the votes of hon. Members that afternoon. The hon. Gentleman proposed to move in Committee that public-houses should be opened on Sundays from one till three o'clock and from five till nine o'clock for the sale of liquors for consumption off the premises. He (Mr. Labouchere), however, was of opinion that, if public houses were opened at all, it would be a mistake to forbid drinking on the premises. Even if they were successful in enforcing such a law, let them contemplate the state on a Sunday evening of Hampstead Heath and other localities in the suburbs, when persons would bring ardent spirits with them, and consume them in the open air.

CAPTAIN VIVIAN rose to order, and asked if it was competent for the hon. Member to discuss an Amendment which was not then before the House?

MR. SPEAKER ruled that the hon. Member was in order.

MR. LABOUCHERE said, it was desirable that the House should know before going to a division whether such an Amendment would be accepted by the promoters of the Bill. Unless they did so he hoped the House would stop the further progress of the measure.

MR. HIBBERT said, he felt considerable difficulty on this subject. He could not support the Amendment proposed by the hon. Member for Southwark (Mr. Locke), because it opposed all change; neither could he agree with the Bill of the hon. Member for Chichester (Mr. J. A. Smith). The best course was to proceed upon the old road, and allow liquor to be sold for consumption, on or off the premises, on Sunday, but he thought the hours should be from one o'clock to half-past two, and from half-past four until nine. During those hours the working-men would be able to get all the refreshment they required, whether upon their excursions or after attending church, funerals, or christenings; and the public-houses would be shut before the time when drunkenness usually began to take place. The Government ought to agree to put a clause into any Bill of this kind to enable publicans, should they desire to do so, to take out a six days' license, for which they should pay a less sum than for the usual license; and he believed that if this proposal were adopted a large number of licensed victuallers would gladly avail themselves of the alternative thus offered them. This plan had answered well in the case of cab licenses. A great objection to the Bill was that it proposed to deal differently with the metropolis and the country generally. Drink with meals was as requisite in one place as in the other; but as the Bill was drawn it would interfere with *bonâ fide* travellers in the country. There never could be a better time than the present for effecting some change in the law upon the subject. There was a strong feeling among the working classes in the country in favour of a further restriction on the sale of liquors on Sunday, but, at the same time there was great objection to this Bill. He would have no objection, however, to the Bill being read a second time, upon the understanding that it should then be referred to a Select Committee, and he hoped that this suggestion would receive the approbation of the hon. Members for Southwark and Middlesex.

Mr. GLADSTONE said, he regarded tho question before the House as one that was calculated to show whether Parliament was willing to make an onward step in the regulation of the liquor traffic on Sundays. He did not think that there was any principle so strictly defined in the Bill as to bind them, if they voted for the second reading, to anything more than a willingness to consider whether they could with equity to all parties impose further restrictions on the liquor traffic. There was one observation which he had heard made to which he wished to offer a reply. It was contended that the condition of the country already exhibited a great improvement with respect to drunkenness, and that we ought to be satisfied with that improvement; but he doubted whether the improvement, which certainly was perceptible in many quarters, was uniform throughout the whole country. A very intelligent deputation, composed almost entirely of working men, who had waited upon him from Lancashire had urged—and in their arguments they were supported by the evidence of the police authorities—that the improvement in that great community was not such as had been stated, and, he believed, truly stated, by the hon. Gentleman the Member for Southwark as the general rule. Independently of that, however, even if drunkenness was decreasing, it still remained one of the greatest scandals, disgraces, and misfortunes of the country; and he did not think that Parliament was bound to refrain from making war against it, simply because, on the whole, it was on the decline. He trusted that in any case the Government would give their assent to the second reading of the Bill after the wise recommendation made by his hon. Friend the Member for Oldham (Mr. Hibbert). There were many reasons which, in his opinion, warranted the reference of the subject to a Committee of Inquiry. His hon. Friend who had introduced the measure very judiciously, appeared to found his arguments in its support upon the favour with which he believed it was regarded by the working classes of the country. For his own part, he must confess that, however much such a measure might be favoured by the chairmen of benches of magistrates and the chiefs of municipal bodies, and other persons in authority, he should look with great suspicion upon any movement for restrictive measures of this sort, if that movement were confined to the members of the upper and middle classes; and he was certainly, though it might sound somewhat paradoxical, unwilling to do good to the working classes against their will. It appeared to him, therefore, to be very important that the promoters and opponents of the Bill should have an opportunity, if they felt disposed, to bring forward evidence as to the real feelings of the working classes upon such a measure as the present one. He was inclined to believe that the general opinion in the North of England was in favour of some measure of the kind, but there might be a difference of opinion in other parts of the country. If the general opinion of the working classes could be obtained there was so much sympathy among that class in respect to measures which affected them that such an opinion must exercise a very strong influence upon the House. Another question upon which they might perhaps be enabled by this means to arrive at a valuable conclusion was, whether it might or might not be wise to introduce the principle of local legislation, power being given to the local authorities in modes which the law might specify, so as to adapt the application of principles to circumstances. He must also venture to endorse, as far as he might, the suggestion of his hon. Friend the Member for Oldham with reference to the six days' licenses. That was a question which, when Chancellor of the Exchequer, he had had occasion to consider with reference to the cab trade, and the principle was one which he believed could not, in this case, be regarded as unreasonable. The distinction had, he believed, so far as it had been applied, been found to work in a most satisfactory manner, and the grounds which existed for its adoption in the case of cabs were much stronger in the case of public-houses. He trusted that the suggestion which had been made by his hon. Friend would reconcile in a great degree the diversities of opinion which existed in the House, and which threatened to occupy the whole of the afternoon in the discussion of the subject. Every consideration of equity would be on the side of such a plan; because it was but fair that a man who was prepared to forego his trade profits on Sundays should not be charged so much for his license as he who did not. He rejoiced to witness the conciliatory spirit in which the supporters of the Bill were prepared to receive the suggestions of opponents, and he could not doubt that if the hon. Member consented to send the Bill to a Select Committee the Government would agree to the second reading.

MR. ROEBUCK desired to compliment his hon. Friend the Member for Chichester (Mr. J. A. Smith) in not following the example of persons who had on former occasions introduced similar Bills, by assuming to himself a monopoly of righteousness and goodness. He felt bound, at the same time, to remark that his hon. Friend, in accusing the hon. Gentleman the Member for Southwark (Mr. Locke) of opposing the Bill on personal and politic grounds, was using an argument which might be employed with equal force against himself. It must, however, be perfectly clear that they all had the same end in view; for every man worthy the name of a Member of that House desired to contribute all in his power to the decrease of drunkenness, and the only difference was as to the means of suppressing it. He contended that every attempt to go further than the present law would fail to effect that object. It was only a few years since that they were told to be guided by experience; and there was a finger always pointing across the Atlantic, where the Maine Liquor Law was said to have conferred such incalculable benefits upon the American people. He would, however, boldly assert—and he knew that nobody could disprove it—that that law had been an utter failure. His hon. Friend said that the Maine Liquor Law was a measure which he did not approve. That might be so now, but did not everything that surrounded the Bill go to show that it was intended as an introduction to some such legislation? He had heard an observation which fell from the right hon. Gentlemen the Member for South Lancashire (Mr. Gladstone,) He did not for one moment mean to say that the right hon. Gentleman contemplated such a step; for the right hon. Gentleman was far too wise and far too well acquainted with men's characters and the way to deal with them ever to have entertained any such stupid notion. The Maine Liquor law had been carried by fanaticism in America, and that fanaticism had found friends in this country. His hon. Friend the Member for Chichester might not intend to lend himself to such a result; but when his hon. Friend fainted on the way, others would be found ready and willing to take his place. He should be glad to know if this was really the way to deal with the working classes. The House had handed over the government of the country to the working classes, and now they appeared to think that the working classes were incapable of governing themselves, and that a Bill must be brought in to prevent a man from going wrong, when he knew he was going wrong, because he had himself not the courage or the power to prevent it. The distinction in the application of the Bill to London and the country arose, as the hon. Member for Chichester himself admitted, from the fact that the interest of the licensed victuallers was stronger in the metropolis than it was elsewhere. What, however, would be the effect of the Bill upon the working classes of London? A working man in London, who was employed in labour from Monday morning to Saturday night in occupations which he pursued steadily, quietly, and soberly in a darkened atmosphere, might reasonably wish to go into the country on Sundays, where in the company of his wife and family he could enjoy the blessing of fresh air. But Gentlemen connected with the movement advocated by his hon. Friend opposed this, and wished the working men to remain in the almost pestilent atmosphere of London rather than, as they called it, desecrate the Sabbath. He (Mr. Roebuck) could see no desecration of the Sabbath—or the Sunday, for he did not like to hear it called the Sabbath—in a man's going into the fields to breathe the fresh air and to contemplate the great works of God. That was no desecration in the mind of a civilized or educated man; but it was a desecration in the mind of the ascetics who proposed this Bill. Was it good legislation to say to a man, "You shall not have your beer," and could anyone doubt that it was this which, though not expressed, was in their minds in framing this measure? It would be said that a working man could go into the country on Sundays because there were plenty of railroads by which he might travel. That was true, but as soon as a working man got into the country he would be subjected to all the inconveniences of this measure. Supposing him to have taken with him his wife and family and his basket of provisions, but to have forgotten his bottle containing his pint or quart of beer—and if there were six children besides himself and his wife a quart would not be too much; there were hon. Gentlemen near him who could drink a good deal more—he would find that he could obtain no beer, and he must go to the next river and drink water. He (Mr. Roebuck) would ask, did his hon. Friend himself drink water on Sundays? When passing by his club on Sunday, did he not go in and read *Punch* and take his glass of sherry? It was wonderful how good we could be for other people. Did anybody say that that was not a true picture? He should like to see that man. The picture was a true one and a very plain one. Now, the House should remember that they were on the eve of an election in which great political power was to be placed in the hands of the working classes of the country. Was that, then, a time when a Bill of this character should be brought in—a Bill greatly affecting their interests, but upon which they had no opportunity of expressing an opinion? But it was contended that the Bill had been largely petitioned for. What were the facts? The Returns of the number of petitions and their signatures had been published up to the 13th of that month, and it appeared that 200,000 persons had signed petitions in favour of the Bill during the present Session of Parliament—petitions that had been in course of signature for the last six months. [Several hon. MEMBERS: Nine months.] Well, say nine months. But those who had been working against this Bill had only been working for three weeks, and he was told that the signatures they had procured numbered nearly 500,000. Yet the hon. Gentleman the Member for Chichester came forward and called himself the representative of the whole of the working classes. The organizers of petitions in favour of the Bill began, moreover, by asserting that they would not accept the signature of any one below sixteen years of age. Did the hon. Member for Chichester believe that promise had been adhered to? Was it not a fact that the petitions had been taken into the different schools, and that the children even had been asked to sign? It had been said that the licensed victuallers had an interest in the question. Well, so they had. But what was their power compared with that of the landowners and clergymen? The clergyman of the parish—whose knowledge of politics was not equal to his knowledge of theology—called at the cottage in the absence of the husband, and found at home the wife and the children, and he learned that when the husband had been drinking he came home and beat his wife, beat his child, and beat his dog. "Then," asked the clergyman, "are you not opposed to drunkenness?" "Oh, yes, I am." "Then," said the clergyman, "sign this petition;" so she signed the petition, under the impression that it was to put an end to drunkenness. The petitions presented that day were signed, without exception, by men—men upon whom, for the most part, they had lately conferred the franchise, and whom they had only recently admitted to a share in the Government of the country. The right hon. Gentleman the Member for South Lancashire proposed that the matter should be referred to a Committee of Inquiry. He (Mr. Roebuck had listened to the arguments which had been employed with reference to the appointment of a Commission on another question; and in that case the Commission was objected to because, it was said, it was a pretext for delaying legislation. He could not recognize a different principle in the present case. The right hon. Gentleman was a sufficiently able legislator to know what to do. He had studied the nature of mankind sufficiently to know that; by legislating in the direction of this measure, we should be landing ourselves, as the people of New England had landed themselves, upon the barren rock of the Maine Liquor Law. One word to the Government. He would ask them to be bold in their generation. They had already done things at which they looked with something like shuddering. They need be under no alarm for the hon. Gentleman's millions, because they would on examination be found to dwindle to next to nothing. And he would remind hon. Gentlemen on both sides of the House who feared the influence of their conduct in this matter on their future elections, that the organization of the licensed victuallers was superior to the organization of the hon. Gentleman's Friends. It must not be forgotten that the present Bill was but the offshoot of a much greater plan; for the Permissive Bill, the Sunday Trading Bill, and the anti-desecration of the Sabbath movement were all most intimately associated; and, as he had before remarked in the House, two muddy streams converged—the fanaticism of the anti-liquor gentlemen and the fanaticism of the Sabbath-preservation Yankee—when they came together the stream might be large, but it would also be muddy and shallow. He hoped that the Government would take a decided course in the matter, and would not abdicate its proper functions by consenting to the reference of this subject to a Committee. If they deserved the name of a Government they would be ready to announce a definite policy in reference to a Bill like this, which was a class measure that would not affect gentlemen at all. If such a principle as that contained in this Bill were adopted, he should certainly propose its extension to the London clubs, and if the House refused to accede to that proposal, the people would see that those who were their professed friends had solely the making of political capital in view.

MR. GATHORNE HARDY said, that if the House had been under the necessity of accepting or rejecting the Bill in its present form, he would have had no difficulty in stating that, in his opinion, it carried restriction to a length that would inevitably lead to a reaction, which might place the House of Commons in a very undesirable position. But he felt convinced that the contradictory statements and conflicting opinions of the promoters and the opponents of such a measure could only be brought into harmony, and the law amended in a satisfactory manner, by a judicial inquiry. When they came to deal with a question like the present—a question involving £15,000,000 or £16,000,000 a year — they should remember that the people who frequent public-houses form a large portion of the community. The House, he presumed, would allow that, from his antecedents, he was entitled to disclaim any partiality for freedom of drunkenness or licensing, although he reminded hon. Members who supported the measure, that all who went into public-houses on Sundays did not go there for the purpose of indulging in drunkenness or immorality. On the contrary, many visited them for the purpose of obtaining the refreshments necessary for their comfort; and by such a measure as the one now under consideration, they would not only be closing these establishments against the drunkard, but also against that class to whose benefit and use Parliament desired they should be subservient. With regard to the licensed victuallers—men who were engaged in a trade which was to a certain extent protected and privileged—he contended that Parliament was perfectly at liberty to impose such restrictions on the sale and use of stimulants as it might consider beneficial to the community, and in the imposition of such restrictions he should regard the interests of the public and not those of the licensed victuallers. There was little doubt that the petitions for the Bill had been signed in the way pointed out by the hon. Member for Sheffield (Mr. Roebuck), but no one who had seen the enormous placards in the windows of ginshops and public-houses could doubt that the licensed victuallers had made use of an extensive organization to get the petitions signed against the Bill. But the fact was that the question was connected with one that must be raised sooner or later—namely, our general licensing system. That question had undergone considerable changes of late years, partly in consequence of the Beerhouse Bill, and partly in consequence of the Wine Licenses Bill, which was introduced by the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone). There could, in his opinion, be scarcely anything more unreasonable than the present state of things, by which a man who had been refused a spirit license by a bench of magistrates, could immediately go and set up a wine and beer shop without their permission. With respect to the proposal that licenses at a proportionately reduced expense should be granted for six days instead of seven, he might remark that the difference in the beer license, the expense of the license being, he believed, only £3 or £3 3*s.*—and the public-house license was little more—would be scarcely appreciable. If, indeed, the recommendations made by the Committee which sat some years since, and which was presided over by the hon. Member for Wolverhampton (Mr. Villiers) were adopted, the plan would deserve more attention, because it was proposed by that Committee that the charge for the licenses should be increased to an extent which would warrant a difference being made. He could not agree with the right hon. Gentleman opposite (Mr. Gladstone) that local distinctions would be desirable. If that point was to be inquired into, it would also be necessary to consider the nature of the authority by which the local regulations were to be laid down. He, for one, should certainly under no circumstances consent to the distinction which it was proposed by this Bill to draw between London and the country. He could not, for instance, see why one rule should be applied to London and another to large places like Liverpool and Manchester. He did not agree with the hon. Member for Sheffield that gentlemen would be free from the operation of the Bill, because, as hon. and learned Gentlemen well knew, when on circuit they were in the habit of getting upon Sundays a dinner at an hotel which they would not be able to get under this Bill. He must say this was a question which required most careful and most prudent consideration. He thought the hon. Member for Birmingham (Mr. Bright) had given most excellent advice to the deputation of licensed victuallers who waited on him the other day, and he felt with the hon. Gentleman that, although they might all desire that Sunday trading should be reduced to a minimum, it was difficult to do so without being guilty of injustice to those who sold and those who bought. He did not think that the advocates of temperance were acting rightly in endeavouring to bring about so great a change, which would be, in effect, an absolute prohibition against public-houses—which were now open for eight hours on Sundays—opening at all during those eight hours. He found by the Report presented to the House in 1857 that many people had their meals in public-houses and beershops, and he thought that secret drinking, which they must all deprecate, would be considerably increased if they imposed the excessive restriction contemplated by the Bill. By shutting one avenue another was generally opened for those who were bent upon arriving at any particular point. Having given some consideration to this matter, he had been prepared to vote against the Bill if the hon. Member for Chichester had gone to a division on the measure in its integrity. If, however, his hon. Friend was prepared to leave it to be dealt with freely and impartially by a Committee who were not to be bound by what was contained within its four corners, he was prepared to support the second reading.

Mr. J. A. SMITH said, he was quite ready to accept the suggestion which had been thrown out, as to referring the Bill to a Select Committee.

Mr. POWELL had intended to oppose the Motion for the second reading, but the suggestion of the hon. Member for Oldham (Mr. Hibbert) was so reasonable that he would vote for the Bill on the understanding that it was to be referred to a Select Committee. He did not for a moment believe that, under any circumstances, the measure would lead to the establishment in England of a Maine Liquor Law. It had been said that the trade in liquor was the only one that was sanctioned on Sunday. But he contended that though there were formal laws against trade on Sundays, these laws had practically become a dead letter. General trade was free, and the liquor trade was the only one that was fettered with severe regulations on Sunday. He hoped the Select Committee, to whom this Bill was to be referred, would pay great attention to the suggestion that had been made by the hon. Member for Oldham (Mr. Hibbert) of issuing six days' as well as seven days' licenses for the sale of liquor. It was not the mere difference in the money price of the licenses that would operate; but the question would be one of a moral character. Many public-house keepers would be glad of the Sunday holyday, and many a landowner, anxious for the moral improvement of his people, would make it a condition that the public-house keeper on his estate should only take out the six days' license. He trusted that Parliament would not, as on the last occasion, legislate on this subject in such a way as to arouse an agitation, in the midst of which they would be compelled to reverse their proceedings.

Mr. MELLY said: Sir, I should not have presumed to have taken part in a debate so soon after I had had the honour of being elected a Member of this House were it not that I take a great interest in this Bill, and have had of late considerable and peculiar opportunities of making myself acquainted with the wishes not only of the trade, but of the working classes upon this question. In 1865, as the hon. Member for Cambridge (Mr. Powell) will remember, and again during the recent election, the greatest interest was taken in this matter by the electoral body, and, as the representative of one of the most important manufacturing populations, I have thus had many opportunities of forming an opinion as to the reduction of the hours of Sunday trading. I am convinced that, with some modifications, this Bill will answer its purpose, and that by reading it a second time we do not precede, but only cautiously follow in, the steps of public opinion. The hon. and learned Member for Sheffield (Mr. Roebuck) has compared the number of petitions and impugned the way in which ours have been got up. Perhaps he himself supplied the answer when he said that the organization of the licensed victuallers was superior to that of the promoters of the Bill. The trade are by no means united upon the point. In Liverpool two of the largest brewers, members of the Town Council, have begun to close their houses on Sundays, and since the 1st of March no less than sixty or eighty houses have been thus closed. Liverpool having been attacked, I may add that the free-trade system produced, in the opinion of a majority of the magistrates, such an increase of drunkenness and disorder, that during the last two licensing sessions that policy was reversed, and no licence granted to any but *bonâ fide* luncheon-houses, which closed at seven on week days and all day on Sunday. The beerhouse keepers at Stoke-upon-Trent wish to be put on a footing of equality with the licensed victuallers, subject to the same restrictions, but endowed with the same privileges. During the Reform debates I heard to my surprise that there were 27 per cent of working men upon the present register. Familiar as I was with the constituency, I had never met these numbers of working men, but I find that they were many of them beerhouse keepers, whose wives kept the shop while their husbands earned weekly wages. These men are as anxious as any one to have a Sunday holiday, and will hail as a boon the reduction of their hours of labour. The object of the promoters of this Bill is not so much to stop drunkenness as to stop excessive drinking on Saturday and Sunday nights. Too much use is made of the word drunkard. No legislation will stop him ; if he cannot drink in public-houses he will drink in secret, and if there be only one in 100 of the population a confirmed drunkard, we need not legislate for him. But as matters now stand, the temptations in the way of the working classes to spend more money than they should in public-houses the day after their wages are paid are almost too great to be resisted. Our great object ought to be, not only to stop drunkenness, but to stop excessive drinking on Saturday nights and Sundays. The hon. Member for Sheffield has drawn a graphic picture of the mechanic taking his wife and children to the country on a Sunday afternoon, with the basket of provisions, and the omitted beer. But I could draw as graphic a picture of crowds of women and children coming to the doors of public-houses on Saturday and Sunday nights, and begging on their knees for their share, and for less than their share, of the past week's wages to support them and their children during the coming week. It is these avenues to an unnecessary expenditure that we want to close. We are all anxious to raise the working classes in the scale of education, and we look forward to a large and comprehensive scheme of education ; but what stops the way is not the weekly pence for the schools, it is the want of clothes to go to school in, and no money to buy them with, in consequence of the fathers spending their wages in drink. As the right hon. Member for South Lancashire (Mr. Gladstone) and the right hon. Gentleman the Home Secretary (Mr. G. Hardy) have both agreed to that course, I conclude the Bill will be read a second time, and then referred to a Select Committee, whence I hope it will emerge in a different shape, and that the clauses will be simplified by the omission of all these "on and off the premises" and "*bonâ fide* meal" paragraphs. I hope we shall have no addition to the complications which already exist, rendering the law almost impossible to obey, and quite impossible to enforce. We have already the "lodger," who always appears to have only called in for a glass of beer ; and the "traveller" who has travelled from the nearest beerhouse, and the drink drawn before twelve, which always, somehow, appears to be fresh at one ; and all this leads to hard swearing on the part of the publican endeavouring to avoid a fine, and of the policemen determined to get a conviction. This exception of "on the premises" it is impossible to maintain. If I send for a jug of beer it is served "off the premises." If I go myself, buy one, and then drink a glass out of my own jug, the law is broken. Why, it would take a policeman to each public-house to enforce this law. In the words of the French proverb, "a door must be open or shut." Let the trade be carried on as usual between fixed hours, and let the hours of labour be reduced to the publican by reducing the hours of sale. Of course the special exemption of the metropolis cannot be maintained ; the House can never consent to one law for London and another for the large cities in the provinces ; nor can

I support the proposition of the hon. Member for Oldham, that the hours on Sundays should be from five to nine, as I very much prefer that they should be from eight to ten. I have now, Sir, only to thank the House for the great courtesy with which they have listened to me.

Mr. HENLEY said, it was an unusual thing to refer a short Bill like the present, and one which was far from being approved, to a Select Committee. But, as he understood the matter, the whole subject was to be referred under cover of this Bill. He did not think that was a very convenient way of proceeding, because they would seem to be endorsing the principle of an unsatisfactory Bill by sending it to a Select Committee, but would receive from that Committee a Bill altogether different, and they would then have no time to consult their constituents as to the equity of its provisions. For his part, he protested in that case against being supposed to be bound by what was contained in the four corners of the Bill. Was he to understand that the Committee would have power to examine witnesses—did they intend to examine witnesses? [Mr. J. A. Smith: Hear, hear!] He was glad to hear that—it was, in fact, what he had risen to ask. If it were distinctly understood that the whole subject would be before the Committee, none of them—the *pros* or the *cons*—would be bound by any decision to which the Select Committee might come. It was impossible to conceal from themselves that great interest was taken in this subject out of doors. It was also impossible to conceal that a great change had taken place in the habits and feeling of the working classes within the last fourteen or fifteen years. He would not therefore oppose the second reading of the Bill, though its wording was on many points rather vague. He thought those who would afterwards have to define the application of the word "meal," would have their ingenuity taxed. Some men might sit drinking for an hour, and be all that time eating a biscuit—would that be held to be a meal? Then he objected to there being one law for the country and another for the metropolis. Another important subject was how far the local authorities were to be empowered to act in order to bring the Bill into operation. That was a large subject, and if it were to be discussed in Committee, and evidence taken with regard to it, he did not think there would be much chance of speedy legislation.

Mr. OSBORNE said, they had heard something about this Parliament being incompetent to deal with questions of Reform on the other side of the Channel; and, considering how large a question was involved in the Bill before them, he denied the "moral competence" of a moribund Parliament to deal with it in the way proposed. It seemed to him that some private agreement had been come to in the Lobbies about the matter since the debate had commenced; some compromise had evidently been agreed on. He was against any compromise whatever, and would like to hear some answer to the admirable argument of his hon. Friend the Member for Sheffield (Mr. Roebuck). He would not have risen but that the right hon Member for South Lancashire (Mr. Gladstone) had congratulated the House that the Bill was an onward step. Instead of that he (Mr. Osborne) thought it was one of the most positively retrogressive steps which had ever been made. Could that be called an onward step which proposed one law for one part of the country and another law for another part? When the hon. Member for Chichester (Mr. J. A. Smith) proposed concessions in favour of London, he evidently had the fate of Lord Robert Grosvenor's Bill before his eyes; and yet he proposed to force his measure on the country. Could that be called an onward step? To act on the suggestion of the hon. Member for Oldham (Mr. Hibbert) appeared to him to be a mere nibbling at the question. The proper course was not to send this Bill upstairs, but for the Government of the day to deal with the subject in a comprehensive manner. Let the Bill be negatived, and then let the whole licensing system be referred to a Select Committee, which they all knew would not report before this Parliament was dead. The subject was one pre-eminently fitted for the next Parliament; it affected the people. He was against your paternal system of Government, which dealt with the people of this great country, now newly endowed with the franchise, as mere children. To pass this Bill was not—to use the expression of the right hon. Member for South Lancashire—the way to make war against drunkenness; if the people were fit to have votes, they were fit to cultivate self-restraint, which was never the growth of a paternal Government. The hon. Member for Sheffield had told them he was nearly dragged to pieces by enthusiasts on this question; his experience was, that all Members for large districts were dragged to pieces by two societies—on the one side the Licensed Victuallers', and on the other the United Kingdom Alliance. They had had a speech during the debate from an hon. Gentleman who was a member of the United Kingdom Alliance, and some of his observations had struck him with the greatest horror. The hon. Member for Stoke-upon-Trent (Mr. Melly) not only desired to further restrict the hours during which public-houses might be open, but wanted a law for regulating the hours of labour. ["No!"] He had remarked it particularly, and he warned the House to beware of the course they were entering on of legislating for every petty affair. The statesmanlike course was to legislate with a view to inculcate habits of self-restraint among the working classes, not to pass Bills framed in the spirit of that before them.

MR. THOMAS HUGHES would not have troubled the House but for the very personal and not complimentary observations of his learned Friend below him. [MR. ROEBUCK: You do not mean me, I hope?] He referred to the other hon. and learned Gentleman, the Member for Southwark, (Mr. Locke). He had been asked by him what he would do if it were proposed to close his club on Sunday? He would certainly vote against such a proposal. But the cases were not analogous. There was a clear distinction between public-houses and clubs. Anybody could enter a public-house who chose to do so, whereas a club was open only to a certain number of gentlemen, carefully selected. Boys and girls could, and did frequent public-houses, and met there with all sorts of bad characters. If that distinction was not clear to hon. Gentlemen, he did not know what could be made clear to them. If hon. Members knew half as much about the state of feeling among the working classes as they pretended to do, they would know that, for many years, a movement had been going on in favour of establishing clubs for working men. He heartily went with the movement, believing that nothing could be more wholesome or more useful for that class. He would advise his hon. and learned Friends to support it, instead of opposing this Bill, if they really wanted to help the working classes. He quite admitted that the borough he represented—and that which his hon. and learned Friend (Mr. Locke) represented—formed the battle-ground of the question now at issue. And who were the parties respectively? On one side was the strong organization of the licensed victuallers—a force of which he should be glad to have the support, if the price to be paid for it were not too heavy—and they had used their organization in the most energetic manner to get up petitions against the Bill. They happened to have the heads both of the Established Church and of the Roman Catholic Church in his borough. Well, the Archbishop of Canterbury and the organization of the Established Church, the Roman Catholic Archbishop of Westminster and the clergy under him, and the very large and powerful Baptist and Independent bodies were all warm supporters of the Bill There was not, in fact, any minister of any religion in London who was not in favour of this Bill. There was no one connected with education among its opponents. ["Oh, oh!"] Well, if so, let the person, whether schoolmaster, pupil-teacher, Scripture-reader, or person connected in any way with the education or relief of the poor, be pointed out. There might be narrowness and bigotry upon one side as on the other; but which did the House think it best to go with—the licensed victuallers or the ministers of religion? Then it was said that the Bill was an interference with the liberty of the subject. But the principle of Sunday closing had already been recognized, and the question was no longer one of principle but of detail, and of the amount of public advantage. It was simply a question, whether several hours should be knocked off the time for drinking in public-houses on Sunday evenings, the hours which those best able to judge declared were more mischievous than all the rest of the week. He was a warm friend of liberty; but there were some kinds of liberty which he did not think very valuable. Among them was the liberty of going to the devil, of which an American humourist had said that the only advantage he could see about it was that "the way was easy, and you were perfectly certain to get there." The country was endangered by a mass of pauperism—every twenty-fifth person in the country, according to the official statistics, being a pauper; and of this lamentable state of things drinking, they were assured, was the mainspring. Nobody in the House proposed the adoption of the Maine Liquor Law, or anything like it, and to assert that any one did was only to throw dust in their eyes. When they were told, by all who were qualified to speak on the subject, that this Bill would be beneficial, he trusted that it would be read a second time.

Mr. MELLY explained, that when he spoke of the hours of labour he alluded to the hours of the people employed in the trade, and begged to say that he was not a member of the Alliance League.

Mr. HORSFALL said, the statistics which had been adduced with regard to Liverpool were not to be relied on for purposes of comparison. Liverpool possessed an excellent and highly efficient police force, which reported every case of drunkenness, and even minute cases, such as in other places would be passed by. There was undoubtedly drunkenness enough in the locality; but it should be remembered that there was a large floating population of 20,000, principally seamen and foreigners, to aid in swelling the Returns. To the system of free trade in licenses, which had been opposed by large masses of the population, many of the evils existing in Liverpool were to be ascribed. It had been ascertained by a house-to-house canvass of 60,000 householders that 91 per cent of the inhabitants were in favour of the entire closing of the public-houses on Sunday. The question had been represented by the hon. Gentleman opposite (Mr. T. Hughes) as one entirely between the licensed victuallers and ministers of religion; but in Liverpool that was not so; 700 of the licensed victuallers had given their signatures in favour of closing, and 150 of them, he believed, now closed voluntarily upon Sunday. The great objection which he felt to the Bill was the exception made in favour of the metropolitan boroughs. There ought not to be one law for the metropolis and another for the provinces. Unless the Bill were to be referred to a Select Committee, he should have great difficulty in voting for the second reading.

Mr. J. A. SMITH said, that he was quite willing to refer the Bill to a Select Committee; but he was not willing to undertake an inquiry into the whole licensing system. He was ready to enter into all questions that flowed naturally from the provisions of the Bill, but he did not feel competent to face the large subject of licensing. If it was meant that this Bill should be referred to a Committee to be destroyed, and for another to be substituted in its place, that he understood, and such a reference he was prepared to accept; but he was not willing to enter upon an inquiry that might last for years into the general licensing system of the country—a question which could only be properly dealt with by the Government. The hon. and learned Member for Sheffield had not answered his argument; but had imputed to him objects and opinions which he not only did not entertain; but which he had never entertained, and which were entirely foreign to his feelings. He knew little or nothing about the petitions which had been presented; but he utterly disbelieved the statements which had been made as to the use of improper means to obtain signatures in favour of the Bill. It had been represented that the number of signatures to petitions against the Bill amounted to 500,000. He could only say that on the 13th instant—only five days ago—a Report had been published from the Committee upon Petitions, in which the total signatures against the Bill were set down at 50,000. It certainly would be very remarkable if, in the short interval which had since elapsed, petitions bearing 450,000 signatures had been presented; and from the estimate which he had formed of the character of the hon. and learned Gentleman the Member for Sheffield (Mr. Roebuck), he felt sure that, if amistake had been committed, he would take an early opportunity of saying so.

Mr. ROEBUCK, on rising to explain, said, that he had made no imputation upon the objects or views of his hon. Friend the Member for Chichester (Mr. J. A. Smith). He had merely stated that his hon. Friend was in the hands of persons who had the objects, and entertained the views, to which he had referred.

Mr. HARVEY LEWIS thought it important that a clear understanding should be arrived at as to the point upon which they were about to divide, and as to the precise order of Reference. That they were all in confusion upon this point had been indicated already by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), who, with his unrivalled experience, was generally enabled to hit the right nail on the head. And he wished accordingly for some distinct explanation on the point. He concurred in opinion with the right hon. Member for Oxfordshire, that it was an exceedingly inconvenient practice to refer to a Select Committee a Bill which was condemned by a great majority of the House. He should be satisfied if the whole system of Sunday trading in liquors was referred to a Select Committee, impartially selected.

If that course were adopted, the Bill ought to be negatived, instead of being read a second time. In reference to the remark, which had just fallen from the hon. Member for Chichester, as to the number of signatures to petitions, he himself had presented petitions with from 10,000 to 12,000 signatures in the aggregate within the last three days, and he had no doubt many other hon. Members had done the same.

MR. GATHORNE HARDY, interposing, appealed to the Speaker to inform the House what would be the powers of the Committee to which it was suggested that the Bill should be referred. It was "a Bill for further regulating the Sale of Fermented andDistilled Liquors in England and Wales." Would it not, therefore, be in the power of the Committee to inquire into all matters connected with the sale of liquors on Sunday in England and Wales?

MR. SPEAKER: The Bill being referred, the power of the Select Committee would be confined to the subject-matter of the Bill, and if it was desired to proceed further, and take in the subject of the general licensing system, that could not be done without a special Instruction to the Committee.

MR. ROEBUCK: But, Sir, if we pass the second reading, do not we pass the principle of the Bill; and if we pass the principle of the Bill, do not we acknowledge at once that further legislation is requisite?

MR. SPEAKER: That question almost answers itself. Of course, if you pass the second reading, you affirm the principle of the Bill.

MR. HARVEY LEWIS said, he understood, then, that the whole subject of further regulating the sale of fermented and distilled liquors on Sunday in England and Wales was to be referred to a Select Committee; and further, that neither that Committee nor the House were in the slightest degree bound by one single particle contained in the Bill.

MR. BOWEN said, he wished to point out for the information of the House that the Report of the Committee on Public Petitions showed that in 100 of the petitions in favour of the Bill many of the signatures were not in the handwriting of the persons whose names they purported to be, and that the Order of the House had not been complied with. He had seen 369 petitions and on an average there were only seventy signatures to each. Therefore, he had arrived at the conclusion that the petitions were got up hastily—in a helter-skelter manner. They principally came from neighbourhoods possessing only scanty populations, and probably those who had signed them had not the slightest idea of the requirements of London or of the large towns.

MR. LOCKE said, he did not clearly understand what was to be referred to a Select Committee, and therefore was not in a position to withdraw his Amendment. If the whole question dealt with by the Bill was to be referred to a Select Committee, he should be willing to give way, but he thought that the better plan would be for the hon. Member for Chichester (Mr. J. A. Smith) to withdraw his Bill, that then the whole question should be referred to a Select Committee.

LORD JOHN MANNERS said, he understood that the Reference would not be restricted to the clauses of the Bill, but that the Committee would be able to deal with the whole subject-matter contained within its four corners. Subject to that interpretation he apprehended that the hon. and learned Member for Southwark (Mr. Locke) could have no objection to withdraw his Amendment.

MR. J. A. SMITH said, that he accepted the interpretation which the noble Lord had placed upon the Order of Reference.

SIR LAWRENCE PALK suggested that the House could not, without an express Instruction, refer more than the Bill contained.

MR. H. BERKELEY appealed to the hon. Member for Chichester to withdraw the Bill.

MR. HIBBERT said, that it was his intention, if the Bill passed a second reading, to move that it should be referred to a Select Committee, with power to take evidence upon the further regulation of the sale of fermented and distilled liquors in England and Wales.

MR. LOCKE: Supposing that Motion was carried, would it give the Committee power to go into the whole question of closing public-houses on Sunday?

MR. SPEAKER: The exact state of the case appears to me to be this. The proposal is, that if the Bill is read a second time it shall be referred to a Select Committee, before which evidence should be taken. That evidence would be confined to the subject-matter of the Bill, unless the House was, by special Instruction, to extend the powers of the Committee.

As to the question of further regulating the sale of fermented and distilled liquors on Sundays in England and Wales the Committee would certainly have the power of saying to what extent liquors should be sold on Sundays, or whether they should be sold at all.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time.

MR. HIBBERT then moved that it should be referred to a Select Committee.

MR. ROEBUCK, in order to put the matter beyond all question, gave notice that, upon the Motion for referring the Bill to a Select Committee, he should move that the Committee have power to inquire into all subjects, except the question of licensing, connected with the sale of liquors on Sunday.

MR. SPEAKER suggested that the mere fact of the reference of the Bill to a Select Committee might render such a Motion unnecessary.

MR. ROEBUCK said, that if the Speaker assured him that the Committee would possess the power, without any special Instruction, he should not, of course, press the Motion of which he had just given notice. But in the absence of any such assurance he should certainly press the Motion.

MR. KNATCHBULL - HUGESSEN thought it desirable that there should be no mistake as regarded the Reference. He suggested that the debate should be adjourned, in order that Instructions might be drawn up, so that the Reference might be as wide as possible.

MR. LOCKE KING thought the Motion of the hon and learned Member for Sheffield quite unnecessary, unless he had in view some special object If he had, and would only state what it was, there would be no difficulty in ascertaining whether it came within the scope of the Committee's inquiries or not.

MR. ROEBUCK said, he had a particular object—namely, that if the Committee should think fit so to do they should have power to report, that, in their opinion, there should be no further legislation with regard to the sale of liquors on Sunday. He believed that under the simple Order referring the Bill to a Select Committee they would not have that power.

MR. SPEAKER: The Bill in its entirety, and every part of it, will be in the hands of the Committee.

Bill *committed* to a Select Committee, with power to send for persons, papers, and records.

And, on March 26, Committee *nominated* as follows: — Mr. JOHN ABEL SMITH, Sir JAMES FERGUSSON, Mr. EVANS, Mr. MALCOLM, Mr. YORKE, Mr. FREDERICK STANLEY, Mr. ROEBUCK, Mr. LOCKE, Mr. BERKELEY, Colonel FANE (Hants), Mr. KNATCHBULL-HUGESSEN, Mr. HIBBERT, Mr. BAINES, Mr. JOHN BRIGHT, and Mr. HORSFALL:—Five to be the quorum.

TANCRED'S CHARITY BILL.

On Motion of Mr. BERESFORD HOPE, Bill for confirming and amending a Scheme of the Charity Commissioners for the several Charities founded by the Settlement and Will of Christopher Tancred, of Whixley, in the county of York, esquire, deceased, *ordered* to be brought in by Mr. BERESFORD HOPE, Mr. WALPOLE, and Viscount CRANBORNE.

Bill *presented,* and read the first time. [Bill 67].

RAILWAYS (GUARDS AND PASSENGERS COMMUNICATION) BILL.

Bill "to compel Railway Companies to establish means of Communication between Guards and Passengers," *presented,* and read the first time. [Bill 66.]

WAYS AND MEANS.

Resolution *reported;*

"That, towards making good the Supply granted to Her Majesty for the Service of the years ending on the 31st day of March 1867, and the 31st day of March 1868, the sum of £362,398 19*s.* 9*d.* be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland."

Resolution *agreed to:* — Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time.

House adjourned at half after
Five o'clock.

HOUSE OF LORDS,

Thursday, March 19, 1868.

MINUTES.]—PUBLIC BILL—*First Reading*—Licensing * (45).

THE UNIVERSITIES AND THE ESTABLISHED CHURCH.—PETITION.

THE BISHOP OF LONDON presented a Petition from certain Members of the Senate of the University of Cambridge respecting the Maintenance of the religious Character of the Colleges. The right rev. Prelate said it appeared to him that the Petition was of so important a nature that he might be justified in troubling their Lordships with a few explanations, for the purpose of showing what was the object of the persons by whom it was signed. Their Lordships were aware that considerable excitement at present prevailed in the Universities of Oxford and Cambridge, with reference to proposals for extending, more widely than had hitherto been the practice, the benefits of both those great Establishments to persons not members of the Established Church; that, in each of the Universities persons who were not members of the Established Church were admitted as students; that all the ordinary prizes were open to them; that in Oxford they might take the degree of Bachelor of Arts, and in Cambridge the degree of Master of Arts, but that from the Government of either University, as members of the Senate or Convocation, they were excluded. Again, in none of the Colleges could persons not members of the Established Church become Fellows. The petition he had the honour to present was not very extensively signed. There were attached to it the names of thirty-five members of the Senate, and the comparative smallness of that number might probably be accounted for by the fact that the position maintained by the petitioners was one which was not calculated to satisfy the popular excitement on one side or the other of that controversy. No doubt in times of excitement like the present it was easy to obtain signatures upon either side. In the University of Oxford there prevailed at present a strong feeling among many persons that any change in the direction he had indicated might lead to the secularizing of the whole system of study; and in Cambridge there existed a large and influential body who were desirous of opening all the positions in the University, and also all the positions, including the Fellowships, in the Colleges, to persons other than those connected with the Established Church. Between these two extremes stood the petitioners whom he represented; and although, as he had already stated, their number was not great, he believed, that if he were to read their names, it would be allowed that they were persons whose opinion was entitled to much respect. There were among them Heads of Colleges, there were six Professors, there were six Head-Masters of large schools, and other gentlemen eminent from their position and from their personal character. But it was their misfortune that they were counselling a conciliatory course which could not be acceptable to either extreme party. Their Lordships were no doubt aware that a Memorial had been lately presented to the Archbishop of that province, signed by upwards of 700 members of Convocation of the University of Oxford, expressing the greatest alarm lest the University should be secularized—lest the worship of the Established Church, which had hitherto sanctified the whole life of the place, should be abolished, and lest it should be reduced to the condition of some foreign Universities, in which all religious distinctions were totally unknown. He need not say for himself that if he thought there were any reason to apprehend the adoption of such measures as these memorialists seemed to fear, he should be among the very first to protest against any change in the existing system. It would indeed be an evil day, in his judgment, for England if the peculiar religious character of the University of Oxford, of which he could speak more particularly, should be destroyed. He believed that, in that case, there would be much danger, as those memorialists appeared to apprehend, that many parents who desired that their children should be subjected to the same system of training to which they had been subjected themselves, and which had been the glory of the University for generations, would withdraw their sons from a place of education conducted upon that new principle. But he did not share the alarm felt by the memorialists, from the adoption of proposals confined to the single object of extending the honours and emoluments of the University properly so called to others than members of the Established Church. His opinion was that the Universities were more or less national institutions, and that, therefore, whatever was the characteristic of the nation with regard to religion, would also characterize more or less the Universities under such a system as that to which he was then referring. The Senate of the University of Cambridge and the Convocation of the University of Oxford were bodies a good deal larger than their Lordships' House, and he did not believe that the fact of admitting to either of them persons who were not members of the Established Church would make any more sensible difference in their general character than the presence of a few Peers who did not belong to the Church made in the composition of that House. Neither did he think that any danger would arise if they were to allow men eminent in the abstract sciences to teach those sciences, although they did not profess the doctrines of the Established Church. The memorialists apprehended, no doubt, and not without reason, that when a change of that kind took place, the question was no longer one between members of the Established Church and Nonconformists, but between those who professed the Christian religion and those who did not profess it; but still, upon the broadest survey of the matter, he confessed that, with regard to the Convocation and the Senate of the Universities, and with regard to the teaching of the public Professors, who had no control over the discipline of the students, he saw no danger from the largest concession it would be possible to make. The question, however, assumed another character when they turned to the case of the Colleges. The Colleges were not, he apprehended, in any sense republics, which the Universities were; they were, more or less, in their essential nature, homes, in which young men were temporarily placed. He might illustrate that statement by the condition of the College to which he had the honour to belong. In that College there were in his time seventy members, having of course a common hall and a common place of daily worship, with a governing body consisting of twelve Fellows, of which number, as a general rule, only four were residents, the others being in London or elsewhere. Now, he confessed he could scarcely understand how the introduction of persons not professing—say the Christian religion—into that small body of four controlling the discipline of that more private establishment could fail altogether to alter and destroy its character. The present petitioners were placed in this position. They were anxious, in common with himself, that every possible facility should be given for opening their University; but they were also anxious that great care should be taken that the government of the Colleges should be reserved for members of the Established Church. It was true that there were other Colleges far larger than the one he had described. But the larger Colleges, which more or less resembled Universities, were few in number. The great Trinity College, Cambridge, could hardly be taken as representing the Colleges at either University. He had mentioned one College which was presided over by twelve Fellows, only four being residents, and he believed there was another one in Cambridge in which there were only five Fellows. It appeared to him that when they descended from the republics of the Universities to the homes of the Colleges, the principle which would justify them in making the Universities as national as possible did not extend to the other. He believed that if the Colleges were thrown entirely open—that was to say, if all persons, whatever might be their religion, were allowed to become the governors of the Colleges—it would be impossible they could discharge those functions which, with great advantage to the Church and the nation, they had discharged for many years. The petitioners dwelt upon that point. They argued that, not only were the Colleges invested with extensive ecclesiastical patronage; but also that it had for a very long time indeed been their privilege to educate the clergy of the Established Church, and they were afraid that if the character of the Colleges in reference to religious matters were to be altered, that system must altogether cease. In a small body of four or five members, who were elected entirely from merit and by examination, there could be no possible security, in a country where diversity of faith existed, that a majority might not consist of persons who not only were not members of the Established Church, but who did not even profess the Christian religion. But if that were the case, it was obvious, he thought, that the Colleges must cease to be institutions in which clergymen of the Church of England were educated, and the result would be that in England, as in most Roman Catholic countries, the clergy would be obliged to take refuge for their education in distinctly ecclesiastical seminaries. He did not wish to say one word against seminaries of that description, established here and there throughout the country; but he believed that any education that could thus be given to the clergy would be of a very inferior character to that which they at present received at the Universities of Oxford and Cambridge. The petitioners desired, and he entirely participated in that wish, that the clergy of the Established Church should always retain the character they had hitherto held in those liberal institutions, and that they should not in that respect resemble the ministers of some other creeds. They were extremely anxious that nothing should be done which would deprive the Colleges of the power of educating the clergy, and they were afraid that any measure calculated to produce such an effect, while it was devised for the purpose of advancing liberal opinions, might tend rather to diminish all true liberality of sentiment, by driving the clergy to seek a very narrow sort of education, under which they would lose their just influence over the people of this great country. For these reasons the petitioners were anxious that the government of the Colleges should still be reserved to the Established Church. It was true that not all the Fellows resided at their Colleges, and the suggestion had from time to time been made that some arrangements might be carried out whereby a certain number of the Fellowships should be given entirely as prizes, without admitting to any portion of the government of the corporation. Against any wise plan of that kind which might be devised the petitioners made no objection. The petitioners were men of various views and opinions, but there was one point upon which they all took their stand. They were anxious that the Universities should be thrown open as widely as possible; but that the Colleges should retain the distinctly religious character of their government, which had been their glory and their safeguard in past times.

Petition *ordered* to lie on the table.

THE RITUAL COMMISSION.

QUESTION. OBSERVATIONS.

Lord TAUNTON, on rising to ask, When it is probable that the Second Report of the Ritual Commission will be presented? said, that he was indebted to the courtesy of the most rev. Prelate the Chairman of the Commissioners for the opportunity of putting this Question. He could assure the most rev. Prelate that he did not put it in any spirit of complaint. He could understand, composed as the Commission was of persons in whom different portions of the Church felt confidence, how difficult it might be to arrive at a satisfactory conclusion. He need scarcely, however, apologize for expressing anxiety on this subject. It was now about ten months since the Commission was appointed, and it was, he believed, seven months since they had issued a Report of some significance; but, at the same time, one which was entirely inoperative as far as the practices complained of were concerned. He would recall to the attention of their Lordships the circumstances under which the Commission was appointed. It was in the month of May last year that a noble Lord (the Earl of Shaftesbury), whose absence they must all regret, apprehensive of the great evils which had followed from the introduction of a certain costume and practices by some members of the Church of England, brought in a Bill which dealt with one very important part of the subject—that of clerical vestments. He held that to be a very important part of the subject, because he believed nothing more likely to give offence than that clergymen should exhibit themselves in costume strange to English eyes, nothing like which had for 200 years been seen in the Church of England, and which was supposed to be similar to that worn in the Church of Rome. Well, the second reading of that Bill was moved on the 15th of May, and gave rise to a very angry discussion, a general sense on both sides of the House being expressed of the great evil and danger that might flow from those practices to the Church of England, and there was a great desire evinced to put a end to them. The Earl of Derby, then First Minister of the Crown, while opposed to the second reading of the Earl of Shaftesbury's Bill, promised to recommend that a Royal Commission should be issued, which would command the confidence of all parties in the Church, to deal with this important subject. The majority of the Prelates in their Lordships' House were so sensible of the magnitude of the evil that, not content with the promise of a Commission, they voted for the second reading of the Earl of Shaftesbury's Bill. In fact, it was impossible for their Lordships to express in a more unequivocal manner the importance of dealing thoroughly with the subject. The Commission was appointed, and, as he had said, at the end of three months presented a Report which expressed a very decided opinion that the innovations complained of were working great evil, and ought to be restrained, because, as the Report said, those practices were considered essential by none, while they were highly offensive to many. They had been taught and believed that "blessed were the peace makers," and that all unnecessary causes of strife and contention should be avoided. He would have thought, therefore, that there would be a general concurrence among the clergy of this country that they ought to refrain from practices which their own experience must have told them, without the Report of the Commissioners, were deeply alarming and offensive to many, whilst they were considerably censured by some. He had no doubt that the reprobation of those practices on the part of those Commissioners did produce some effect. He happened to know some clergymen who had come to the conclusion, which he believed others would come to, that they ought to give up the practices referred to on the grounds stated by the Commission. He was afraid, however, that, as a rule, the Report of the Commission had put no effectual check upon those practices, but, on the contrary, had produced a very different result. That was the case especially in the diocese of London. Some of the clergy argued in this way : "Our time is short; Parliament or the Church may step in and prevent these things from being carried on ; so let us get them as deeply-rooted as we can in the public mind while our opportunity lasts." Now, under these circumstances, the Commission ought not only to deal with the subject, but to do so as promptly as possible. In order to guard himself against any misapprehension, he might say that he would be one of the last persons in the world to desire to impose any too stringent restrictions. Nothing could be a greater misfortune to the Church of England than to endeavour to narrow the limits, so as to exclude from its pale any of the various schools of thought which had hitherto existed. But it was quite another thing for clergymen to parade party emblems in their churches, and especially in those parish churches which ought to be common to all members of the Church of England, whether their sentiments inclined to one school or another. The church ought to be common property, where all could meet together, and not have their consciences disturbed or their feelings excited by that of which they disapproved. He hoped the most rev. Prelate would be able to assure their Lordships that the second Report of the Commission would be presented in a very short time. Probably the most rev. Prelate would not enter into explanations on the subject, and any lengthened discussion would be quite out of place on the present occasion. Such a discussion would naturally take place when—the Report having been presented—the Members of the Commission in the House would feel more free to enter into the debate. But he hoped that the recommendations of the Commission, however strong their wish to avoid offence to any party in the Church, would be so clear and practical as to settle the question, for otherwise the labour of the Commission would be thrown away. A most excellent work would be done by putting an end to practices which had been made the means of advancing doctrines alarming to the great body of the laity. He did not mean to engage this House in anything like a polemical discussion. But it was the right, as it was the duty, of their Lordships to concern themselves with the general good order of the Church and the uniformity of its forms and ceremonies. He hoped the Report of the Commission would lay the foundation for a settlement of a question which now vexed and disturbed the minds of so many persons, and would thereby strengthen the Church of England, and add to the satisfaction and contentment of her members.

THE ARCHBISHOP OF CANTERBURY in answer to the noble Lord, begged to inform him and the House that the Ritual Commission had been very busily engaged in preparing their second Report on the ornaments of the Church, and they hoped to be able to present it to Her Majesty in a short time. He was sure that their Lordships would not expect him on this occasion to enter into a discussion of what the nature of that Report might be.

METROPOLIS — SPECIAL CONSTABLES.

MOTION FOR A RETURN.

LORD CAMPBELL, in moving for a Return of the Special Constables who had enrolled themselves in the different parishes of the Metropolis after the explosion in Clerkenwell, said, that possibly a short time ago the Notice would have more easily commanded the attention of their Lordships. The part which devolved upon the special constables at the close of last year and the beginning of the present may be no doubt a little overshadowed by the personal vicissitudes affecting party life which have more recently engaged attention from the world. A few weeks ago they were the topic of the press and of society. And one reason they have ceased to be so may be found in the tranquillity they were intended to establish. So long as alarm prevailed, the public eye was fixed upon them. The good effect they have produced may now be seen in the comparative oblivion they have fallen into. But as no record of the times would be complete unless they were included in it, some authentic document as to their numbers seems to be required; those numbers being, in fact, an index of the disorder which prevailed, and of the loyalty which met it. There is thus sufficient ground for asking the Return. But it also rests upon a claim of more political importance. As yet no allusion has been made to the special constables in Parliament. No mark of approbation, no symptom of acknowledgment, has been informally or formally conceded to them. If an inquiry is made as to the nature of their services, the fact which stands out most conspicuously is that at the time of the Clerkenwell explosion, terror took possession of society, that special constables came forward in large numbers; that the demonstration of their readiness controlled the elements of danger; that no considerable breach of law has subsequently happened. But we must go a little further back to seize the essence of the function they performed, to measure the degree of obligation they imposed upon society. The real fact is that about November and December—it was frequently asserted at the time—the Executive, rather by a series of misfortunes, than any single lapse, had fallen into the lowest state of decadence and of discredit. It began in July, 1866. The Government at that time suffered in Hyde Park a deep and well-known humiliation, of which the visible result is still allowed to catch the gaze of all who by one direction enter the metropolis. From that moment it was felt that lawlessness might dare because authority, to say the least of it, had hesitated. In May, 1867, therefore, lawlessness effected a triumph more consummate—of which I need not specify the nature — as it was brought before the House, with his wanted power, by Lord Cowper. In the middle of the autumn the rescue of the prisoners at Manchester did not tend to restore the fallen dignity, or re-invigorate the shattered force of the Executive. In November, a riotous assemblage felt themselves entitled—and, by what had taken place, undoubtedly they must have been encouraged—to take possession of the Home Office, at least to have a meeting in its walls; and after such an outrage on law, decency, and government, they all escaped with absolute impunity. After the executions which took place on the 23rd of November, processions were organized to insult the law, and to do honour to the criminals. They went on wholly unmolested by the Government, until municipal authority and public feeling overcame them. No wonder that the climax should present itself, and that a few weeks later it should be deemed possible and even prudent to explode by gunpowder a prison wall, in order to release political offenders it contained. If parks could be occupied in spite of proclamations of police, of military power; if a *coup de main* could rescue prisoners by daylight; if a Department of the State, close to the Horse Guards, could be invaded and insulted; to overwhelm a wall in a remote and little known part of the metropolis did not seem to be an enterprize of ill-grounded temerity or uncalculating hardihood. The tragical result of the proceeding excited consternation in society. In point of fact, under the form of special constables, society came forward to defend itself, and was driven to the course it would adopt, if law, police, and Government were all suspended in the country. In such a state of things it is by organizing and arraying special constables that the public is enabled to do for itself what its appointed guardians betray their incapacity to do for it. A vigour greater than its own is thus communicated to the feeble will and torpid hands of the Executive. Regarded in this light the special constables who recently enrolled themselves were more important than those of 1848. On the well-known occasion which drew them forth upon the 10th of April of that year, there had not been any previous triumphs of disorder, or any previous disparagement of the Executive. At that time the demonstration might do something to augment the force; but in December last it had done more to revolutionize the weakness of a Government. I will only detain the House by one more remark, to illustrate the true position of the body I refer to. The striking inability of the Executive, since July, 1866, has been usually described to some deficiency or error on the part of Mr. Spencer Walpole. Mr. Walpole had been long known to the world, and had given no reason to expect that he would be unequal to the maintenance of order, so far as it depended on his office. Between his resignation and the event of December last, no visible improvement had taken place under his successor, whose personal capacity had not been called in question. The real cause of the inherent weakness in defence of law which has characterized the Government ought not to be traced so much to individuals as to circumstances. From the beginning they have been without a Parliamentary majority. The late Minister (Earl Derby), in a passage frequently referred to, had enumerated the many deep humiliations which await a Government to whom that essential basis is denied. One, however, he omitted, which might well have been included in the series, that such a Government, aware it does not fully represent the nation it ostensibly controls, is constantly obliged to truckle to disorder, with a view to escape unpopularity. So long as such a system is permitted to endure, society must defend itself against the movements which attack it. On grounds of policy, as well as justice, it is therefore worth while to show the special constables that they are not forgotten by the Legislature. A Return of this kind is no doubt a most inadequate acknowledgment of what they have effected; but I could think of no other which appeared to be consistent with our usages and precedents. If it is not possible to offer any tribute to their merit, it may be worth while at least to notice their existence. The noble Lord concluded by moving an Address for—

> Return of the Number of Special Constables who have respectively enrolled themselves in the different Parishes of the Metropolis after the Explosion in Clerkenwell.—(*The Lord Campbell.*)

Lord CLINTON said, there was no objection to the production of the Return.

Motion *agreed to.*

LICENSING BILL [H.L.]

A Bill to regulate the granting of Licenses for the Sale of spirituous and fermented Liquors, and for the more effectual Suppression of Breaches of the Peace and other Offences arising from Drunkenness—Was *presented* by The Earl of Lichfield; read 1ª. (No. 45.)

House adjourned at Six o'clock,
till To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 19, 1868.

MINUTES.]—New Writ Issued—*For* Coventry, *v.* Henry Mather Jackson, esquire, void Election.

Select Committee—On Army (India and the Colonies) *nominated;* on Extradition *appointed.*

Supply—*considered in Committee*—Army Estimates.

Public Bills—*Ordered*—Petit Juries (Ireland)*; Representation of the People (Ireland).

First Reading—Petit Juries (Ireland)* [70]; Representation of the People (Ireland) [71].

Second Reading—(£362,398 19*s.* 9*d.*) Consolidated Fund.*

Third Reading—Sea Fisheries* [42]; Fairs (Ireland)* [48], and *passed.*

RAILWAYS.—RESOLUTION.

Mr. TREEBY said, the Resolution he wished to propose had been rendered necessary by the Railway Act passed in 1867, which gave to insolvent railway companies the power of applying to the Court of Chancery for a scheme of arrangement with their creditors, which had all the effect of an Act of Parliament. This was done without giving any notice to the outside creditors and landowners, and without even making them aware of what was being done. If the Resolution he had submitted to the House were adopted he believed it would be the means of preventing dishonest railway companies from again preying upon the public, and he hoped the House would co-operate with him in the achievement of so desirable an object. He might be permitted to explain that the scheme in Chancery was obtained by an *ex parte* statement, no notice, as he had already said, being given to the creditors or others forming part of the company. It was true that they were obliged to make known their intentions by publication in *The Gazette;* but this was not a sufficient protection, as comparatively few people read that newspaper. Insolvent companies had thus power virtually given to them to confiscate the property of all outside creditors—a privilege which was granted to no other debtor in England. Granted that the creditors could apply to Parliament by petition, it did not decrease the evil, for the expenses of such a proceeding were almost ruinous. He held that it was the interest of all legitimate companies to defeat the schemes of dishonest companies, which entailed both loss and discredit upon the community. People had very little idea of how some of the companies he was complaining of were got up. For instance, a meeting would be called of Parliamentary agents, contractors, and engineers. One of these gentlemen was probably acquainted with some rich landowner who possessed an estate through which it was proposed to carry the line. It might be of the greatest importance to the landowner that the projected railway should be made, and upon solicitation he was easily induced to become chairman of the company. Upon the guarantee of the respectable name of this landowner the public were tempted to purchase shares, and the scheme by this means was put into operation. He felt assured that procedures of such a character would not obtain the sanction of the House. He would not have troubled the House with his Resolution had it not been for the great importance of the subject, the deep interest taken in it by a large number of persons, and the conviction that its adoption by Parliament would remedy the evils of which he complained.

Motion made, and Question proposed,

"That in case of an Insolvent Railway Company applying for an extension of time or for any other power, and where such Railway Company have applied to the Court of Chancery for a scheme of arrangement under the Railway Act of 1867, such Railway Company shall on or before the 30th of November immediately preceding the application for the Bill, deposit in the Private Bill Office a Schedule setting forth the full detailed particulars disclosing all transactions of such Company, and to answer all and every question or questions hereunder set out:—

1. The name and address of the directors of the Company, together with the shareholders and others forming the said Company.
2. The number of shares or debentures or other stock held by each of the above persons.
3. The money paid to the said Company for such share or shares, debenture, or stock.
4. The amount of stock, shares, or other securities of the Company issued or upon which money has been raised by the said Company.
5. The name of each of the landowners.
6. The quantity of land taken or agreed to be taken by the said Company.
7. The parish in which the land belonging to each of the said landowners is situated, together with the sum paid or agreed to be paid to each of the said landowners; stating separately the names of those paid and those remaining unpaid, and from which of the said owners the Company have obtained possession of the land.
8. The name of the engineer and contractor to the Company.
9. Copy of the specification, contract, or contracts, for making the said Railway.
10. The amount paid on account of the said contract in shares, debentures, or other stock of the said Company.
11. The amount paid in cash to the said contractor.
12. The nature and cost of the work done in the actual construction of the said Railway in each parish through which it is permitted to pass.
13. All other costs incurred by the said Company or contractor on account of the said Railway, with detailed particulars by which the said cost has been incurred.
14. Full particulars of all payments made by the said Company, whether in cash, or in shares, debentures, or other stock of the said Company, to whom and for what the said payments have been made, the cash payments to be kept separate.
15. The amount of deposit, and in whose name or names it now stands.
16. The length of the line for which the Act or Acts of the said Company was obtained.
17. The number of Acts which have been applied for or obtained, with the date of the Acts so obtained, and of the application."—(*Mr. Treeby.*)

SIR LAWRENCE PALK thought the new Standing Order submitted by the hon. Member was one that would not hold water. The greater part of the information which he desiderated could be easily obtained under the law as it at present stood. There was really no necessity for such a Resolution as that now under discussion. The explanation of the matter was, that the hon. Member had bought property in his (Sir Lawrence Palk's) county close to where a railway was about to pass, and there were certain arrangements with the railway company which had been acquiesced in by the hon. Member's predecessor, which the hon. Member declined to accept.

MR. TREEBY rose to order. The hon. Baronet was not speaking to the question.

SIR LAWRENCE PALK maintained that the hon. Member had no right to come to that House to defeat arrangements which his predecessor in the property had acquiesced in. The hon. Member complained of resident county gentlemen for giving the sanction of their names to speculative railway schemes. Perhaps, when the hon. Member had been as long a resident county gentleman as he (Sir Lawrence Palk) had been, he would speak more charitably of his neighbours. He did not think that the hon. Member had offered the slightest grounds for the change he proposed.

LORD HOTHAM suggested that the hon. Member for Lyme Regis should postpone his Motion. Even if the proposal were adopted, it was too late in the Session for any action to be taken upon it. Moreover, it was probable that before the present Session closed some further alteration would be made in the Standing Orders.

MR. TREEBY said, he had no objection to postpone his Resolution.

Motion, by leave, *withdrawn.*

POOR LAWS—PAUPER IDIOTS AND LUNATICS.—QUESTION.

Lord EUSTACE CECIL said, he wished to ask the Secretary to the Poor Law Board, Whether it is the intention of Her Majesty's Government to introduce, during the present Session, any measure relating to Pauper Idiots and Lunatics in Workhouses?

Sir MICHAEL HICKS-BEACH said, in reply, that there were clauses relating to pauper idiots and lunatics in workhouses in the Bill introduced by his noble Friend the President of the Poor Law Board, and on Monday next, when the Bill was proceeded with, the noble Lord would state fully the effect of those Clauses.

ARMY PROMOTION.—QUESTION.

Captain VIVIAN said, he would beg to ask the Secretary of State for War, Whether his attention has been drawn to the extraordinary supercession of the Colonels of the Imperial Army by Colonels of the Indian Army; whether he is aware that Colonels of 1864 on the Indian list will, in all probability, be promoted to the rank of Major-Generals, while Colonels of the Imperial Army of 1854 remain still unpromoted; and, whether it is proposed to take any steps to remedy this great injustice, which is keenly felt by officers of the Imperial Army?

Sir JOHN PAKINGTON, in reply, said, he was quite aware that Indian Colonels were being promoted over the heads of Colonels in the Imperial Army, but he was afraid the case was an exceptional one with which he could not deal. These promotions were taking place under the Royal Warrant of 1864, which had been prepared with very great care, and had been confirmed by the then Secretary of State and the Commander-in-Chief. At present the Warrant operated in favour of the Indian Army; but there was reason to believe that, in a short time, the advantage would be on the side of the Imperial Army.

ENGLISH PORCELAIN AT BOW.
QUESTION.

Mr. SCHREIBER said, he wished to ask the Vice President of the Committee of Council on Education, Whether his attention has been called to recent discoveries on the site (hitherto lost) of the Manufactory of English Porcelain at Bow; whether he will direct that steps be taken to acquire a selection from the specimens already found for the Science and Art Department of the South Kensington Museum; and, whether he will enter into communication with Messrs. Bell and Black, with a view to the further prosecution, on their property at Bow, of discoveries so important and interesting in the History of English Art?

Lord ROBERT MONTAGU said, in reply, that some fragments of porcelain which had been dug up at Stratford-le-Bow were sent to the Museum of Practical Geology, and Mr. Trenham Reeks wrote concerning them as follows:—

> "I immediately identified in these fragments patterns which exist on some perfect specimens in our collections, but of hitherto unknown manufacture. I subsequently visited the locality and found that many very interesting specimens had been collected by the engineer of Messrs. Bell and Black's new Patent Safety Match Manufactory. . . . On Monday I called on Mr. Bell, who most liberally offered to open out the 'diggings' again if any good is likely to result to the history of British art."

Directions have been given to enter into communications with Messrs. Bell and Black.

REPRESENTATION OF THE PEOPLE ACT, 1867—PAYMENT OF RATES—THE COMPOUNDING SYSTEM.—QUESTION.

Mr. EVANS said, he would beg to ask Mr. Attorney General, Whether the attention of the Law Officers of the Crown has been directed to certain arrangements alleged to have been concluded, or to be in process of being made, in several Metropolitan and other parishes, under which the owners of small tenements are to collect and pay over the Poor Rates on behalf of their tenants, and are to be remunerated for their trouble by a money compensation; whether these arrangements are in accordance with the provisions of the Reform Act of 1867; whether the right of any occupier, on whose behalf payment of the Poor Rates is made under any such arrangements, to be registered as a Voter is thereby in any way affected; and, whether, in the event of any one Rate, between the 5th day of January and the 20th day of June in the present year, being made or collected contrary to the provisions of the Reform Act of last year, the right of such occupier to be registered as a Voter will not be vitiated?

The ATTORNEY GENERAL said, in reply, that the attention of the Law

Officers of the Crown had not been drawn to any such arrangements as were referred to in the Question of the hon. Member, nor did they know that any such arrangements were in progress. It was obvious that, without knowing the details of such arrangements, if they exist, it would be impossible to hazard an opinion as to the effect that would be produced by them.

CONTAGIOUS DISEASES ACTS: QUESTION.

Sir J. CLARKE JERVOISE said, he wished to ask the Vice President of the Committee of Council on Education, Whether his attention has been called to the fact that, Parliament having been prorogued on August 21st, a document purporting to be an Act of Parliament, Contagious Diseases (Animals) 30 & 31 *Vict.*, c. 125), was delivered August 27th, 1867; that another document was substituted September 5th, 1867; and, whether both, either, or neither of these Acts went through the regular forms required to constitute the Law of the Land?

Lord ROBERT MONTAGU said, in reply, that, owing to a clerical omission which occurred in the proceedings with respect to the Contagious Diseases (Animals) Bill, the print of the Act as at first issued did not contain certain Amendments made by the Commons, although they were agreed to by the House of Lords and sanctioned by the Crown. As soon as the mistake was discovered, it was corrected by issuing a reprint of the Act comprising these Amendments.

SCOTLAND — MINISTERS' STIPENDS IN EDINBURGH.—QUESTION.

Mr. M'LAREN said, he wished to ask the Lord Advocate, Whether his attention has been called to the Report of the Select Committee on the Annuity Tax (Edinburgh) 1851, which—

> "Recommended the transference of the teinds, now appropriated to the Deans of the Chapel Royal, towards the payment of the stipends of the Ministers of Edinburgh, considering that these funds have always been applied to ecclesiastical purposes;"

and, seeing that a vacancy has now occurred in one of those deaneries, whether Her Majesty's Government are prepared to carry that Report into effect as far as can be done under present circumstances?

The LORD ADVOCATE, in reply, said, he had made inquiry, and found that in 1846 a third of the teinds was taken for the endowment of a Professorship in the University of Edinburgh. In 1860 and 1863 four additional Chairs were established in that and other Universities, and payments from these teinds, exhausting the whole amount, were provided, in favour of these Professors and their successors in office.

NEW ZEALAND DEFENCE CORPS. QUESTION.

Mr. HARVEY LEWIS said, he wished to ask the Under Secretary of State for the Colonies, What steps have been taken to put the men of the New Zealand Defence Corps into possession of the land to which they are entitled for their services, and what is the reason of the delay which has taken place in giving the men the portions of land to which they are entitled?

Mr. ADDERLEY said, in reply, that the Imperial Government had nothing to do with the arrangement referred to. The Provincial Legislature of New Zealand passed an Act giving grants of land to the New Zealand Defence Corps, and complaints had been made of the grants not having yet taken effect. Inquiries had been made as to the reason of the delay, but all that he could state, from replies received on the subject, was that the necessary allotments had not yet been settled; but that the claim was not disputed, but would be made good.

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.—QUESTION.

Mr. MONCREIFF said, he wished to ask the Lord Advocate, On what day the Reform Bill for Scotland will be proceeded with?

Mr. DISRAELI: I cannot give any answer to the hon. and learned Gentleman till I have secured a second reading for the Irish Reform Bill. I think it necessary that that should take place without delay, and afterwards I shall be able to state what course we propose to take.

Mr. BOUVERIE: Does not the right hon. Gentleman intend to proceed with the Committee on the Scotch Reform Bill till the Irish Reform Bill has been read a second time?

Mr. DISRAELI: I wish the Irish Bill to be read a second time, and I shall lose no time in asking the opinion of the House upon its principle.

IRELAND—POLITICAL PRISONERS—SULLIVAN AND PIGOTT.

QUESTION.

Mr. REARDEN said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to recommend the like pardon to Messrs. Sullivan and Pigott to that offered by the Viceroy of Ireland to Mr. Johnston of Ballykilbeg; and, whether Mr. Johnston is confined in a cell and subject to the like treatment as to lodging, diet, and prison discipline as Messrs. Sullivan and Pigott?

The Earl of MAYO, in reply, said, the offence for which Mr. Johnston was convicted entirely differed from that of Messrs. Sullivan and Pigott, and there was no analogy between the two cases. No pardon was offered to Mr. Johnston; but he was informed that if he chose to enter into recognizances to keep the peace and give an undertaking that he would refrain for the future from taking part in such proceedings as those on account of which he had been convicted, he would be released. He was not aware that any suggestion of that kind had been made on behalf of Messrs. Sullivan and Pigott, and therefore no steps had been taken in the matter. With regard to the treatment of Mr. Johnston, the Board of Superintendence of Downpatrick Gaol had made a considerable relaxation of their Rules in his favour.

Mr. REARDEN: Will the same treatment be extended to Messrs. Sullivan and Pigott?

The Earl of MAYO said, he had stated the day before yesterday that very extensive relaxations of the Rules of Richmond Bridewell had been made with regard to them, and he should be prepared at any moment to state what those relaxations were.

IRELAND—ROMAN CATHOLIC UNIVERSITY CHARTER.—QUESTION.

Mr. LOWE said, he wished to ask the Chief Secretary for Ireland, When and in what manner it is the intention of the Government to give the House the opportunity promised by him of considering the proposed issue of a Charter for a Roman Catholic University in Ireland?

The Earl of MAYO replied, that in this matter the Government were very much in the hands of the House. The desire of the Government was to take the mode most convenient for enabling the House to express an opinion upon their proposal. He could not of course state exactly at what time he should be prepared to invite the House to consider the subject, but either by Motion for Papers, by laying Correspondence on the table of the House, or by some means of that kind, he should certainly take an opportunity of calling the attention of the House to the subject.

PARLIAMENT—THE EASTER VACATION.—QUESTION.

Mr. WHITBREAD said, he would beg to ask the First Lord of the Treasury, Whether he can inform the House on what day the House will adjourn for the Easter Recess?

Mr. DISRAELI: Sir, I am very anxious to consult the convenience of the House, but the progress of Public Business must not be forgotten. That progress at present is not in so satisfactory a state as I could desire, and I fear I must ask the House to sit in Passion Week, which I much regret. ["No, no!"] I do not see how it is to be avoided; but I will ask the hon. Gentleman to repeat his inquiry on a subsequent occasion.

FINANCIAL STATEMENT.—QUESTION.

Mr. THOMSON HANKEY said, he would beg to ask Mr. Chancellor of the Exchequer, When he proposes to make his Financial Statement?

The CHANCELLOR of the EXCHEQUER: Sir, as at present advised, I propose to make it on the first Thursday after the Easter Recess.

REPRESENTATION OF THE PEOPLE (IRELAND) BILL.—QUESTION.

Colonel FRENCH said, he would beg to ask the First Minister of the Crown, If the Irish Reform Bill is certain of coming on that night?

Mr. DISRAELI: The Motion of my noble Friend the Secretary for Ireland for leave to introduce the Irish Reform Bill stands on the Paper for this evening. There is an important Amendment on the Motion for going into Committee of Supply, and it is impossible to say how long the debate will last. The wish of the Government is to introduce the Bill if possible to-night; but they are in the hands of the House. If the debate lasts long, the introduction of the Irish Reform Bill must be postponed, but it shall be brought on upon the first day at their command.

REPRESENTATION OF THE PEOPLE ACT, 1867—THE RATEPAYING CLAUSES.

PETITION.

MR. BRIGHT presented a petition from Birmingham, agreed to at a public meeting, and signed by the Mayor.

MR. DARBY GRIFFITH said, he rose to a point of order. He did not like to interrupt the hon. Gentleman the Member for Birmingham whilst he was presenting the petition they had just heard, but he would ask as a matter of practice, whether petitions could be presented after the proper time, and after the Questions on the Paper had been asked?

MR. SPEAKER: The time for presenting petitions is before five o'clock, and up to that hour, at any moment when there is no business before the House, a Member is perfectly in order in presenting petitions.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

REPRESENTATION OF THE PEOPLE ACT, 1867—COMPOUNDING FOR RATES.

RESOLUTION.

MR. WHITE, in rising to bring forward the Motion of which he had given notice, said, he had taken that course in accordance with the old constitutional maxim, that it is meet and fitting before granting any Supply the grievances of the people should first find utterance. He did not bring the subject forward in the spirit of party. The matter was too grave, and the interests of his constituents were too deeply involved; and he would not forego the support he expected to receive from the other side of the House by treating the question in a party spirit. He wished the House, if possible, to emerge for a time from the murky region of mere party politics into a serener and purer atmosphere, and impartially to consider what could best be done in this case for the public good. His constituents justly complained that the rash and inconsiderate legislation of last Session had been productive of great inconvenience, much discomfort, and positive loss to them; and at a public meeting the Members were called upon at the earliest possible opportunity to procure the abolition of the rate-paying clauses of the Reform Act. This was no question of mere local interests; it was one of Imperial importance. Public meetings were held and protests made in every direction—north, south, east, and west. Meetings were held at Manchester, Birmingham, Macclesfield, Leeds, Wigan, Walsall, Sunderland, Salisbury, Ashton, Norwich, and many other places. The hon. Member read extracts from the resolutions adopted at several of these meetings. They were all strongly condemnatory of the abrogation of the compounding system, pointing out the cruel and disastrous consequences to occupiers, and the incalculable trouble now entailed on guardians, as well as on overseers and collectors, by the rating and rate-paying clauses in "The Representation of the People Act, 1867." According to the Official Returns he found that there were 192 Parliamentary cities and boroughs where, under the Small Tenements Act, or by special local Acts, the owners had compounded for and paid the rates instead of the occupiers. The total number of male occupiers under £10 in those 192 cities and boroughs who were injuriously affected by the fourth section of the third clause of the new Reform Act was 476,593, and there were besides in Parliamentary boroughs dwelling-houses to the number of 98,598, of which the owners, by agreement with the parochial authorities and the occupiers, paid the Poor-rate without any commutation or deduction. In Brighton there were 1,236 dwelling-houses for which no composition was made but by agreement with the parochial authorities, and for the convenience of the occupiers, the owners paid the rates. Such houses were generally let at from 8*s.* to 8*s.* 6*d.* per week—that was to say, from £20 16*s.* to £23 8*s.* per annum. According to the latest return of the Poor Law Board, the total number of male occupiers in the Parliamentary cities and boroughs of England and Wales was 1,367,025. The practical deduction he drew from these figures was that more than one-third of the borough electors of England and Wales were most vexatiously disturbed in their social arrangements by this new statute with regard to rating. In fact, including female occupiers, quite 700,000 of his fellow-countrymen and countrywomen, because they chanced to live in Parliamentary cities and boroughs, were either mulcted, grievously inconvenienced, or injured to suit the supposed exigencies of a political and party struggle. At the same time he could not disguise from himself that the very multitude of that number was the best evidence of their power to compel—of course by constitutional means—the speedy removal of the obnoxious clauses in the last Reform Act. The fitness of a man to vote at the election of a Member of Parliament should depend, not upon the personal payment of rates, but upon the registered residence and settled occupancy of the voter. The best part of the ill-fated Bill of 1866 was that which proposed to abolish the rate-paying clauses of the old Reform Act, and Parliament ought not to have limited the rights of the people by imposing such restrictions upon their voting as were contained in the Bill of last year. Nothing, he knew, was so utterly unfashionable as to speak of the ancient rights of the people; and in the People's House the practice was well nigh obsolete. It was not always so. He ventured to think Parliament had no more right to require as a qualification to vote that an elector should have paid his poor-rate than to insist that he should have first paid his butcher's or baker's bill. Upon this point a former Prime Minister—the first Marquess of Lansdowne—had well said that—

> "The people of England have, and always had, an unalienable, indefeasible right to equal representation in their fullest extent, and upon a stronger ground than any Act or Acts of Parliament."

It had been said by the Prime Minister that it was premature to impugn the arrangements which were unanimously agreed to by Parliament so recently as last year; but he denied that there was any approach to unanimity upon the question at the time that the obnoxious clauses were passed. Had hon. Members already forgotten the confused and entangled condition in which that House had become involved when the hon. Member for Newark (Mr. Hodgkinson) appeared upon the scene as the *Deus ex machinâ*, and brought forward his Amendment for the purpose of solving the perplexing problem? The House should recollect that the Amendment of the right hon. Member for South Lancashire, declaring that the occupier should be entitled to vote, whether the occupier or the landlord were rated for the relief of the poor, was rejected by 310 against 289, and that the Amendment of the hon. Member for Oldham, affirming that the compound-householder should be allowed to pay the commuted instead of the full rate, was rejected by a majority of 66. Therefore, instead of there having been anything like unanimity of feeling upon this question, there was the greatest divergence of opinion expressed upon it, and it was only because it was supposed to be utterly hopeless to induce the Committee to reverse those decisions which fixed, as an indispensable qualification for the borough franchise, the "personal payment of full rates" by every voter. And thus it happened that the clauses were allowed to pass without a division. The borough he represented had been peculiarly affected by those clauses, for, out of a total population of 100,000, only fourteen of the persons enfranchised under them had previously been personally rated. Anticipating an objection that had already been taken by the Prime Minister, in his reply to the hon. Member for Salisbury (Mr. Hamilton)—namely, that no complaints as to the hardships resulting from those clauses had reached the Government, he reminded the House that a petition had been presented at the commencement of the Session by the Colleague of that right hon. Gentleman, the noble Lord the Secretary of State for Foreign Affairs (Lord Stanley), complaining that in his own borough the collectors of poor rates had experienced the utmost difficulty in collecting the rates levied on the small occupiers, and had, in fact, found it wholly impossible to obtain payment in numerous instances where they would be absolutely irrecoverable, and that that portion of the parochial expenditure which should in fairness be contributed by cottage property as hitherto, would ultimately fall upon the tenants of larger occupations in the parish, and praying for a repeal of the rating clauses in the Reform Act of last year and a return to the system of compounding which had worked so well for the last forty-three years at King's Lynn. Although the members of the official hierarchy—the dwellers in the Olympian regions, as they had been called by the right hon. Gentleman (Mr. Disraeli)—might not take cognizance of what appeared in the ordinary sources of information—the metropolitan and provincial journals—he could not overlook the fact that, from the information that was always received by the Poor Law Board, they must have become aware of the inconvenience and oppression which had resulted from the policy they had pursued. He would now refer to what had fallen from the right hon. Gentleman the Prime Minister at Edinburgh. He heard a hon. Gentleman near him (Mr. Roebuck) exclaim, "Oh, Lord!" He could assure the House that he had not the most remote intention of alluding to what had been discussed in "another place," where the extra-Parliamentary utterance of the right hon. Gentleman (Mr. Disraeli) had infused unwonted liveliness and vivacity into proceedings generally dignified, but ordinarily very, very slow. The right hon. Gentleman said—

> "I speak of an animal not known in Scotland, and, thank God, no longer known in England—the compound-householder. The compound-householder is a being who wants to vote without paying rates."

That expression of pious thankfulness happened unluckily not to be justified by the fact, because the compound-householder still existed in some Parliamentary boroughs, and was still in full possession of his rights. He held in his hand a letter in which the writer stated that in some metropolitan and country parishes it had been the custom to make an annual rate, and to divide it into four collections. All compound-householders had to pay the rates comprised in the same yearly assessment, and compounding would extend in some cases to Midsummer, and in others even to next Michaelmas. It appeared, therefore, that the right hon. Gentleman (Mr. Disraeli) entirely forgot that the poor rates were prospectively assessed. He could scarcely account for the aversion—he felt almost disposed to say the rancour—which the right hon. Gentleman exhibited towards the unfortunate compound-householder. The compound-householder was not responsible for his own existence; he was the legitimate offspring of Parliament, and it was only when his parent became very fantastic and very prejudiced—some even went the length of saying very tyrannical or stupid—and turned him out-of-doors, that his cry went forth. He, for one, thought that the hapless compounder had much to complain of in the conduct of his hard-hearted and pitiless parent. Like the whipping boy who, in mediæval times, bore the punishment which was merited by children "born in the purple," this unhappy individual was made to suffer for the blunders and the ignorance of his unnatural parent. The right hon. Gentleman, however, was not even original in his abuse, nor the first to characterize the compounder as an animal, for Mr. Dudley Baxter, in a communication to the leading journal about this time last year, wrote—

> "I would endeavour to throw some light upon the natural history of that anomalous and portentous animal the compound-householder."

Mr. Baxter had treated the compounder as a social leper, and had, he was afraid, inoculated his patron, the Prime Minister, with his own rabid hatred of that class of householders. The House well knew that Mr. Baxter was a partner in the legal firm which, in preference to the highly efficient and well-remunerated servants of the Crown, was employed in the concoction of the abortive Reform Bill of 1859, as well as that of last year by the present Prime Minister. Last Session he (Mr. J. White) pointed out that in 1859, Messrs. Baxter, Rose, and Co. were paid £3,608 17*s.* 2*d.* for collecting Electoral Statistics, not one figure of which was ever laid on the table of the House. He trusted such exceptional—if not exceptionable—expenditure would never again be sanctioned by Parliament. Mr. Baxter attributed the birth of the compounder to an Act passed in 1819, but there was abundant evidence to show that he existed in many large parishes long prior to that date. Now, he would read the following passage from the excellent pamphlet published by the hon. Member for Reading (Mr. Shaw-Lefevre), entitled *The Personal Payment of Rates,* in explanation of the origin and in justification of the enactment and general adoption of the statute known as the "Small Tenements Act:"—

> "In 1843, in the Report on Local Taxation by the Poor Law Commissioners, who were then Sir George Nicholls, Sir George Cornewall Lewis, and Sir Edmund Head, it was stated that a very large amount of property escaped the poor rate, causing a great loss to the parish, and throwing a greatly increased burden upon the owners of other property. 'The owners of small properties in towns universally understand the interest they have in making the tenancy such that the rate cannot be with any degree of certainty obtained from the occupiers, for the uncertainty in obtaining the rate generally begets a practice of omitting the property altogether, or at least not enforcing the liability with strictness. The practical exemption from rates, which is more or less the result, is immediately converted into a means of obtaining an increase of rent equivalent to the exemption, a process, which, in fact, amounts to this, that the real taxpayers, in respect to one class of property, pay, besides their own contributions, an additional tax for the purpose of adding exactly the amount of that additional tax to the rent

> taken by the owners of the other class of property.' They add that weekly tenants never can be made to pay the rates."

In consequence of that Report the Small Tenements Act was passed. No exception was taken to it in either House of Parliament; but the regret was expressed that it should not have been made compulsory instead of permissive. He found there were 11,677 parishes in England and Wales, and the compounding system had been adopted by more than one-half that number. The right hon. Gentleman (the First Lord of the Treasury) had told them, on an interesting occasion lately, that he had been a Member of that House thirty-one years, nearly half his life, and with all respect he would ask the right hon. Gentleman (Mr. Disraeli) whether during that long period he had ever raised his potential voice against this detestable system of compounding, whether he had ever done anything to prevent the increase of that dangerous class whose continued existence was now discovered to be fatal to the British Constitution? In spite of the abhorrence with which the compounder was regarded by some in high places, he could say on the authority of the hon. Member for Reading (Mr. Shaw-Lefevre) that several parishes had, even since it was so recently abolished in Parliamentary boroughs, adopted a system of compounding. On the authority of the very intelligent and thoroughly practical Clerk of the Guardians at Brighton, Mr. Alfred Morris, he was able to state that the system had worked well there; and, speaking generally, the whole of his experience tended to strengthen his conviction that compounding had proved singularly advantageous to the parishes, and he believed to the people also. The right hon. Gentleman (Mr. Disraeli) had further remarked at Edinburgh that the compounder was a being who wished to vote without paying his rates. On the other hand, the right hon. Member for Oxfordshire had described the compounding system as a device of Old Nick to extort money from the Poor. How could these two views be reconciled? One made out that the compounder paid nothing, the other that he paid more than was due. Lord Ellenborough had ruled on this very question of compounding in the case of "Rex *v.* Bradford," in the Court of King's Bench—

> "That we must judge of things as they really are, and not as they appear to be; therefore, we are to consider whether this be not one entire rent of one entire subject, though artificially divided into several payments."

Mr. White

He commended this decision to the present Prime Minister, in the hope that it would lead him to revise the judgment of the late Chancellor of the Exchequer at Edinburgh. So much obloquy had been cast upon the compounder, that anyone would think composition was foreign to English law. As a matter of fact, however, it was a long recognized practice. The Act 1 & 2 *Vict.*, c. 169 (The Irish Tithe Composition Act) is an instance in point, recited that it was—

> "A reasonable allowance for the greater facility and security of collection arising out of the transfer from occupiers to owners."

That Act, which substituted rent-charges in lieu of previous compositions of tithe in Ireland, allowed—

> "A rebate or reduction of 25 per cent, *id est,* a rent-charge equal to three-fourths of the amount of previous composition for tithes;"

so that it was a reduction of 25 per cent after commutation had already been made. In fact, the Irish landlords were but great compounders. Then, in the case of the income tax, as everyone knew, an abatement of £60 was allowed before calculating the tax on incomes below £200. The hon. Member for Buckingham (Mr. Hubbard) had told them on a previous occasion that, under the 133rd clause of the Income Tax Act, persons with fluctuating incomes might pay three-eighths less than they might otherwise be called on to pay, while rich merchants might escape half the amount ordinarily paid. It would seem that the tendency of our legislation was strongly in favour of compositions. Now he would put it to the House whether this was the right time to single out and insist that the working classes who paid a commuted rate should be deprived of the rights of citizenship, especially as the working classes paid so much more taxation than any other class of Her Majesty's subjects, while the luxuries of the rich remained comparatively exempt from taxation. He felt warmly on this point, because he believed the working classes paid very much more than their fair share of the total taxation, on account of their home comforts and little luxuries being so highly taxed. In this he felt sure he would be borne out by the right hon. Member for South Lancashire (Mr. Gladstone). The lower classes were amerced to the extent of more than a 10 per cent income tax; and the clauses in the Reform Act of which he complained would operate so hardly on the working classes that, if annoyance were taken into account, the infliction would be quite equal to the direct imposition exclusively upon them of £1,000,000 of taxation. They had been told by apologists for the rating clauses that the tenant was at liberty to deduct the full amount of rate from his rent; but what would be the consequence if he attempted to do so? Notice to quit. Dr. Franklin had said truly, three removals were as bad as a fire. [Mr. SANDFORD: Hear!] It was a proved fact that a tenant, whose landlord had formerly compounded, now paid much more in rent and taxes than he did formerly in rent and compounded rates. It was undeniable that he did now pay more than the legitimate increase of charge against him consequent on the abolition of compounding. The change bore especially hard on widows and other females, who had not even the privilege of voting as compensation for the trouble and expense. He could give heart-rending instances of the cruel way in which the Act operated as regarded poor women, especially those who earned their livelihoods by keeping small shops. Nothing more intolerably vexatious, annoying, and oppressive to 600,000 or 700,000 male and female occupiers could be conceived, than that they should be hampered, incommoded, and deprived of their rights unless they submitted to be mulcted according to law. It was outrageous that the domestic interests of such a vast mass of their fellow-countrymen and countrywomen should thus be sacrificed to preserve the fanciful consistency of a section of the governing classes. Would not our new masters, who, according to the right hon. Gentleman the Member for Calne (Mr. Lowe) had yet to learn their letters, feel dissatisfied when they found that the same Parliament which had stopped a great metropolitan improvement at the behest of a noble Duke, had not hesitated, without inquiry or consideration, to pass an Act entailing upon so many of their own class annoyance and misery? Would not the new voters think that those who had hitherto dealt in legislation for the working classes, knew very little of, or cared still less for, their interests? Upon the register at Brighton there were 500 compounders who, if they wished to exercise their privilege of voting, it might be, once in four years, for a Member of Parliament, would have to pay annually from 30*s*. to £2 each. But that was far from being the only hardship. The population of Brighton was 100,000, and of these the inhabitants rated numbered 15,000, those who were fully rated being 8,500 in number, and the residue of compounders 6,500. Some 500 compounders, now on the register, would have to pay, as he had already stated, 30*s*. to £2 per annum if they continued as voters, and some 2,560 (barring lodgers) who might become voters, were all compounders, except about a score, and they would have to pay 6*d*. per week for the privilege of a vote. The last poor rate in Brighton was at the rate of 2*s*. in the pound; under the old system this would have produced £2,000 from compounders alone, but under the new system, while double that amount—namely, £4,000—would be demanded, only £1,000 was expected to be realized; that was to say, half the amount obtained under the old system. The result, therefore, must be to impose upon all who could pay an additional rate of 2*d*. in the pound. The Reform Act of last year declared that the franchises thereby created were to be in addition to, and not in substitution of, those previously existing. But it would be a very unpleasant surprise to the 500 Brighton compounders to discover that this so-called addition to their privileges involved an addition to their annual taxation of 30*s*. to £2 a head. It had been said by a noble Lord in "another place" that the taxes must be collected weekly with the rent, inasmuch as the working classes were not provident enough to lay by money to meet the quarter or half-year's rate. But he wished to ask in what way the governing classes had trained or educated the humbler classes to habits of foresight in meeting taxation. Instead of accustoming them to direct payment of taxes, our fiscal policy had consisted in a kind of stealthy abstraction of revenue by taxing beer, tea, sugar, and other articles of daily consumption. The working classes had been taught to mix up the cost of food and drink, and Government, moreover, had been compelled to pay the excessive cost of that bad mixture; indeed, the habit of not putting by had been engendered and fostered in them by our fiscal policy and the spirit of our own absurd legislation. The poor rate had been chosen by Government as the basis of the franchise, probably because it had been also adopted in the first Reform Bill; but he did not accept that as a sufficient reason, for it was a tax grossly unequal in its incidence. He had read a complaint in a Conservative journal from a country clergyman, who had to pay, upon an income of £210, poor rate to the amount of £30 6*s.* annually, while a neighbour of his, the happy possessor of £20,000 a year, renting a house and grounds, did not pay any greater amount of poor rate. The modern operation of the poor rate was certainly at variance with the spirit of the statute of Elizabeth, which assessed every inhabitant according to his ability to pay. True it was that by our modern legislation it had come to pass that it was not the rich, but mainly the poor, who now supported the poor. Look at the poor rates in the metropolis alone. In the parish of St. George's, Hanover Square, they were only 6¼*d.* in the pound; in St. Georges-in-the-East they were 3*s.* 2¼*d*; in the rich district of Paddington they were only 4*d.* in the pound, while in the poor district of Bethnal Green they were close upon 3*s.* The number of summonses for non-payment of poor rates which it had been found necessary to issue in a single district of the metropolis under the late Act amounted to 6,000. At Brighton the guardians had determined not to apply to the magistrates to issue summonses till they had inquired into every individual case; but he need not point out to the House what enormous labour and difficulty were involved in such a proceeding. He might be told that Government, recognizing this emergency, had consented to the appointment of a Committee; but he had no superstitious reverence for Parliamentary Committees, for generally speaking, if he knew the names of the Members, he could tell what decision they were likely to arrive at. In the present case inquiry was altogether unnecessary; they had enough and to spare of overwhelming facts. As had been observed by a noble Lord in "another place"—

> "The Act undoubtedly had not been long enough in force to enable them to judge of its full effect; but, from what they had seen already of its vexatious operation, God forbid that they should ever witness its full effect."

After the discussions which had taken place upon the Reform Bill last year, it certainly was surprising that it did not include any provision requiring personal payment of rates; and, further, that the object for which the Liberal party had striven so hard—namely, to protect the new voters from having a fine levied upon them—remained wholly unaccomplished. He hoped the Government would take that fact into their consideration, and accede to the Resolution with which he meant to conclude. The Parliamentary experience of the Prime Minister must have long since taught and consoled him that legislators, like the rest of mankind, according to Fontenelle, only settle into the right course after passing through and exhausting all the varieties of error. If in the inevitable and early revision of their Act, the Government would consent to incorporate his Amendment, he rightly interpreted the sentiments of his constituents, and he believed the generous feelings of a vast mass of his fellow-countrymen when he said that they would in that case gladly consent to forgive and forget the enormous blunder committed last Session in making a great political measure become the means of interfering with the home comforts, the social and economical arrangements, of a struggling, a loyal, and a patriotic people.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient that so much of the Reform Act of 1867 as makes occupiers liable for Poor Rates instead of owners, in respect of premises to which the system of compounding had been applied, ought to be repealed; that the name of every occupier ought to be put on the rate book, and that payment of rates by the owner, under the compounding system, ought to be deemed payment by the occupier and entitle him to the Franchise,"—(*Mr. James White*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CHARLES FORSTER, in seconding the Amendment, expressed a hope that it would be carried to a division, in order that they might be able to ascertain the real opinion of the House upon the question with which it dealt. In a single evening last Session, and without previous discussion, the House had abrogated a system of compounding which had been the growth of many years of careful legislation, under which property had been made to bear its fair burden, and which, without oppression to the poorer classes, had provided the parochial authorities with a convenient and economical mode of collection. The change thus suddenly introduced had created a spirit of bitter antagonism between landlord and tenant, had entailed additional burdens upon the class least able to bear them, and had also involved the parochial authorities in endless difficulty and increased expense. The case of Brighton, which the hon. Member for that borough (Mr. White) had so lucidly described to the House, was the case of East London, of Leicester, of Norwich, and, indeed, of most places affected by the late alteration of the law. He had only the other day called upon the rate collector of the borough with which he was connected (Walsall), and had learnt from him with dismay that in the case of 2,000 of the inhabitants they must either be excused on the ground of poverty, or proceeded against by law—many of these sufferers were already little above the level of pauperism themselves. The system tended to increase pauperism—many of those humble people who by great sacrifices had managed to pay the first rate being now in the receipt of parish relief. Numbers of the poorer ratepayers, in their distress, were seen carrying their small bundles to the pawnbrokers, to obtain in exchange for them the means of satisfying the claim of the collector. Magistrates had, no doubt, shown great consideration in dealing with the cases of non-payment brought before them; but they could not excuse the parties except on the ground of absolute poverty, and where that did not exist they could only grant an extension of time. Small occupiers, who had heretofore been accustomed to pay rates in the form of a slight addition to their weekly rent, were wholly unable to meet the demand now made directly on them for the full amount of the rates in one sum. Under the old system the authorities could calculate with accuracy the amount that would be realized by the rates; but that certainty now no longer existed, and the result was that in many places much higher rates were levied than were really wanted. The cost of collection had materially increased, and it was stated that in Salford, where under the compounding system $97\frac{1}{2}$ per cent of the rates used to be collected, it was expected that only 85 per cent could be realized in future, while in the same place the increased cost of collection under the new system was £500. Hitherto the parochial authorities had confined their action to the issuing of summonses; but when they began to distrain the goods of these poor ratepayers, as must speedily be the case, the agitation and excitement caused by the grievous wrong and cruelty inflicted on them would far exceed anything that had yet been witnessed. It was his belief that the propositions which were made in previous Sessions for a £6 rental would have been an infinitely more acceptable franchise to the working classes than household suffrage, accompanied by the present vexatious and irritating restrictions.

MR. AYRTON said, that anyone who had listened to the remarks of the hon. Members for Brighton and Walsall (Mr. White and Mr. C. Forster) must feel that they were fully justified in bringing the grievances of their constituents under the consideration of the House before the House was allowed to go into Committee of Supply. If therefore he did not entirely concur in the conclusions which those hon. Members had invited the House to, it was not because he did not sympathize with the object they had in view; for, indeed, his own constituents were undergoing sufferings, vexations, and annoyances greater, perhaps, than those of the constituencies of Brighton and Walsall. Before the commencement of this Session he, (Mr. Ayrton) had been compelled to consider what he ought to do in order to redress the grievances of which his constituents complained. Now, he wished to remind the House that the propositions made last Session were not two only, but several. One emanated in the first instance from the Government. Then came the proposal of his hon. Friend the Member for Pontefract (Mr. Childers), and another from his hon. Friend the Member for Oldham (Mr. Hibbert). He also made a proposition himself, and one or two more were brought before the House. All these propositions, however, met with an untimely fate. Even the Government proposal was in the end withdrawn, and after the subject had been very much bandied about and canvassed in the House, the Government at last made a proposition, which was finally adopted, and to which he only succeeded in adding one slight Amendment. All these matters were forced upon the consideration of the House by the extreme difficulty of superadding to a system of household suffrage a household ratepaying suffrage. Eventually it was unanimously agreed to abolish a system of composition in boroughs, though it was certainly true that the House did not arrive at the conclusion by the ordinary road of unanimity of opinion. That conclusion was owing, in the first instance, to the simple proposition of his right hon. Friend the Member for South Lancashire being rejected by a considerable majority—a proceeding which drove those who held the same views as the right hon. Gentleman to fall back upon the total abolition of composition as the only mode of extricating the Reform Bill from the difficulties into which it was then plunged. The right hon. Gentleman the Leader of the House met the proposal for total abolition by a statement to the effect that he not only approved such a course, but had always been of opinion that it was the right way of treating the question, though he had not himself proposed it because he was not sure it would meet the approval of the hon. Gentlemen opposite to him. When this determination was arrived at the difficulties attendant upon the sudden abolition of the system were not foreseen in all their magnitude. Hence arose various experiments and suggestions to meet those difficulties; and he thought everyone must admit that the House did deal with the subject in a somewhat hasty manner and on imperfect information. He felt, however, that it was quite impossible for an individual Member to undertake the task of proposing a measure which would in any way interfere with the Act of last Session; and therefore it appeared to him that, as the Government were not prepared to take up the subject, the only course open to an individual Member was to move for a Select Committee to inquire into the effect of the Act. Accordingly, he moved for a Committee in the most general terms, in order that they might be at liberty to inquire into any difficulty that might arise. The Committee had met to-day, and had agreed to take up, as its first topic of investigation, the operation of the Act of last Session. Having taken this practical step to obtain redress for the constituents of many boroughs, he thought it would be rather premature to come at once to a Resolution pledging the House to the exact mode of dealing with so difficult a question. The only satisfactory mode of presenting the subject ultimately for the vote of the House would be by introducing a Bill containing definite provisions for the amendment of the law. People very often spoke of the justice of rating the owner instead of the occupier under the Compounding Acts; but he wished to point out that in the language of those Acts the "owner" was not the "owner" as popularly understood, but a personage extremely difficult to define. He believed indeed, that all the special Composition Acts and also the General Acts on the subject contained different definitions of the word "owner." In some cases he was a mere agent for the collection of the rates; in another he was not the owner at all, but the real occupier. The whole question of composition resolved itself into two distinct elements. One was the element of simply rating the person called the owner, in order to insure the collection of the rates; and to this was superadded another not necessarily connected with it—namely, whether the person called the owner should be allowed to pay a different rate, either in amount or quality, from that which is paid by the person who is called the occupier. In the end, perhaps the conclusion may be arrived at, that the people called "owners" should be rated; but it by no means follows that because they are put on the rate book they ought to pay a different kind of rate from that paid by the ordinary occupiers of property. If they stood in the place of the occupiers, it might, perhaps, be thought that they ought to pay the same quota as the occupiers. Then this complication was not limited to the poor rate; but in the metropolis, Brighton, and other towns, it extended to other rates, such as those for paving, lighting, and cleansing. He believed that, by considering the subject in a Committee upstairs, they might arrive at a conclusion which would maintain the fundamental principles of the Act of last Session, whilst providing for the fair and honest collection of the rates. As Chairman of the Committee which had been appointed, he would not say anything as to the course they were likely to take; but he thought the best plan to be adopted would be not to pass the Motion of the hon. Member for Brighton, but to examine the question fully, and then the duty of the Government would be to propose to Parliament such measures as would relieve the community of the difficulties and embarrassments which arose out of the clause in the Reform Act that formed the basis of complaint. He wished to say one word in defence of the Committee. His hon. Friend the Member for Brighton said that the moment he had read the names of the Committee, he knew the conclusion at which they would arrive. [Mr. WHITE: I spoke generally.] He presumed that when a Gentleman made a particular remark, he had some particular object, however rapidly he might slide into the universal. His hon. Friend saw much further than he could pretend to do. The Committee was composed of what he might call all the elements of discord, in order that there might be no objection on the part of the House to accept the conclusion at which they might arrive. He confessed he was unable to say what that conclusion would be. He believed the Committee had been fairly selected from both sides of the House; and, under these circumstances, he would not commit himself to any Resolution pending the inquiry by the Committee.

MR. DIXON said, he did not think it was necessary to await the result of the inquiry by the Select Committee before coming to a decision with reference to the principle involved in the Resolution. He believed that there were hon. Members who could give the Government and the House information that would enable them to form a decided opinion on the matter. He hoped the hon. Member for Brighton (Mr. White) would go to a division, in order to test the feeling of the House on this rating question. If hon. Members connected with compounding boroughs were to give to the House the information they had received upon the subject, detailed information before a Committee would be unnecessary. He would himself state some facts with respect to Birmingham. That town comprised two whole parishes and a portion of a third, in all of which compounding Acts had existed. The parish of Birmingham contained about two-thirds of the population of the whole town. In that parish there were last year about 16,000 ratepayers, including compounding landlords; but by the operation of the Act of last year that number had been increased by 38,000, making a total of 54,000. The rate was made last October, and should have been collected by the commencement of this year; but he was informed about ten days ago by some of the parish officials that 4,000 of the ratepayers would apply by circulars furnished to them to be excused from the payment of the rate. Besides those a large number would have to be summoned before the magistrates, who would also have to be excused wholly or partially the payment of the rate. The change had involved such an amount of work that six additional assistant overseers were required to do the work; but owing to a difference of opinion among the law officers of the different authorities who were consulted, the parish was unable to appoint a sufficient staff of officers, and consequently the collection of the rate was delayed. A further difficulty would result from this. When a succeeding rate was granted it was usual to close the books of the preceding rate, and the uncollected amounts were treated as arrears; but the trouble that would be involved under the new law, would be such as the officers were unable to calculate. And seeing that the parish officers had not been able from want of sufficient collectors to collect the rate it was doubtful whether legally the second rate could be collected. The additional expense to the town of Birmingham for the present year was estimated at £3,000, which sum capitalized represents a fine of £80,000—a rather large payment to inflict on one borough as the additional cost of collecting the rate, merely because the Imperial Parliament had chosen to make this question of rating a political question. Soon after the difficulties of collecting the rate became apparent the overseers called a meeting of landlords, and suggested that they should pay the usual compounding amount, and that the balance should be collected from the tenants, but the former declined to accede to that proposition, though they made another—namely, that they would allow it to those tenants who punctually paid their rents, but not to those who were in arrears; an arrangement by which the landlords would be the gainers. There were in Birmingham 400 policemen and a large number of letter carriers, and these being civil servants were not allowed to vote, yet the rate was claimed from them the same as from the voters. The compounding in the borough amounted on an average to 50 per cent of the rate, and therefore that additional amount of burden had been thrown on a very industrious class of the public service. Besides these, several thousand widows and female occupiers in Birmingham would have to bear these additional burdens without any corresponding beneficial result. Many of them let lodgings, and so occupied larger houses and paid heavier rates than would otherwise have been necessary, and as they presented a respectable appearance, the parish authorities did not consider themselves justified in excusing them the rate. In Birmingham, notwithstanding all deductions and all the distress, these rates would be remarkably well paid, and 30,000 or 40,000 voters would probably be added to the constituency there. But what would be the position of those voters? He believed that the rate imposed on them would amount to about 15*s.* each, which would be equivalent to additional taxation on these men of about £25,000 per annum; and taking the average duration of a Parliament at four years, the cost to the borough of Birmingham of a single exercise of the elective franchise would be £100,000. The Compound Householder Act and Small Tenements Act had worked beneficially, and being permissive Acts their operations were being greatly extended previous to the passing of the Reform Act of last Session. He contended that the small occupiers in the large boroughs would be unfairly and unjustly treated, and taxed much more in proportion than the richer voters, unless the rating provisions in the Act of last year were repealed. The right hon. Member for the City of London (Mr. Goschen), speaking the other night respecting the inequality of local taxation, stated that the smaller occupiers, when they paid the same rate as the larger occupiers, did in reality pay, in proportion to their incomes, double the amount of the larger occupiers. If that be true, the compounding system—the effect of which was to reduce the proportion of the rate paid by the smaller occupiers — would restore the workingman to a level with the rich man in that respect, and would remove a great injustice. There were no doubt difficulties in the case; but that was no reason why justice should not be done to all classes of Her Majesty's subjects, and especially the poorer classes. If this were made a party question the feeling against those who voted against the Resolution would be strong, deep, and lasting, and would by no means be of advantage to them at the next election. He appealed to the justice, and, if necessary, to the fears of the House, not to separate without giving the poorer ratepayers some assurance that this very serious grievance under which they were labouring should be redressed.

Mr. HENLEY said, that the hon. Member for Brighton's allusion to some remarks of his made in a former Session were founded on a total misconception of what he said. He trusted that the hon. Member for Brighton (Mr. White), and the hon. Member for Birmingham (Mr. Dixon), who dwelt on the inequality of assessment, would take an active part in trying to repeal the exemptions from rate enjoyed by stock in trade, so that the burden should not be left, as at present, on real property solely. If that were done, if the House returned to the just and equitable principle of the Act of Elizabeth, the means and substance both of Birmingham and of Brighton would be made to bear their share of taxation. The hon. Member had informed the House that 4,000 of the poorer inhabitants of Birmingham were to be excused payment of their rates. [Mr. Dixon: It was expected they would be.] That was quite the same thing so far as his argument was concerned. The hon. Member said, the whole number rated was 54,000; so that was pretty nearly 12 per cent of the ratepayers. The system of compounding, then, made 12 per cent of the very poorest people pay rates, when otherwise they would not pay anything at all. Well, if they did not pay the rates, the burden must fall upon people immediately above them, whether under the system of compounding or not. He (Mr. Henley) never hinted that people should pay double, as the hon. Member seemed to think; but he said those who were living on parochial relief were excused, and payment was thrown upon the owners of that species of property. Did they think that would encourage the building of houses for that class of persons? He did not think it would; for if the burden were put upon them, it would infallibly discourage them. The hon. Member for Birmingham (Mr. Dixon) said, naturally enough, that if all those people were struck off, there would be, with the additional expense of collection, a heavier rate from the richer people. That was precisely what he thought would be right—namely, that the rich ought to pay, and not the poor. But they could not cut off those persons who came for the franchise because it bore hard on them, for they bore the hardship in common with everybody in the district. The hon. Member for Brighton spoke of a blunder having been committed, and advised them to forget and forgive; but how was it that the difficulty came about? The House would recollect that this was no proposal of the Government. They proposed something quite different; but everybody on the opposite side of the House with open mouth said, "Oh, you are not sincere; you don't mean the people to have household suffrage." Well, then, the Government naturally enough said, "You have no right to suspect our sincerity. Do away with compounding if you like, and let everybody have a vote." Well, that was done; and now those who taunted the Government with insincerity could not be loud enough in denouncing that which was absolutely necessary in consequence of the course they themselves took in charging the Government with insincerity. He recollected the hon. and learned Member for Exeter (Mr. Coleridge) in particular saying that he was quite sure that nobody would claim the vote under the old system of compounding. Before the passing of the Reform Bill those who wanted a vote claimed to be rated. If they liked to vote they paid the rate, and if they did not they left it to the landlord to pay. What they ought to do now was to see what remedy could be applied. The hon. and learned Member for the Tower Hamlets (Mr. Ayrton) took a very sensible course when he pointed out to the House the difficulties that surrounded this question, and he proposed to examine the whole matter in Committee, in order if possible to remedy the inconvenience, while they maintained the principle of last year. But the proposal of the hon. Member for Brighton would, if adopted, place it in the power of a landlord to disfranchise the whole of his tenants by omitting to pay the rate. Very queer things were attributed to landlords, and surely it could not be the intention of the hon. Member to place in the hands of a landlord, who perhaps had a thousand voters on his property, the power of disfranchising them or retaining them on the register by simply paying or withholding the payment of the rates. He had never himself been able to say that a man who had paid £6 or £7 was more fitted to vote than a man who paid £5 a year; and therefore he agreed in the principle so distinctly laid down in the Bill of last year, that a man who paid rates should vote, and the man who did not pay should not vote. If the hon. and learned Member for the Tower Hamlets could find out any method by which any inconvenience could be remedied, while the principle of the Bill was maintained, he would find no Member of the House more ready to give him assistance in remedying such inconvenience. He had pointed out one blot in the propositions of the hon. Member for Brighton, and there might be twenty others. So far as the very poor people were concerned, the fact was that the rates could not be collected from them at all; and if they could, the expense of collecting would be such as to render it not worth while to make the attempt. He also pointed out that the incidence of the rate did not fall upon the owners of any property except that which came within the Compounding Act, consequently only upon the owners of the poorest description of property. He hoped the hon. Member would not press his Motion to a division, for if he did he must vote against it.

MR. GOSCHEN said, he wished to say a few words in reply to the right hon. Gentleman who had spoken last. He had said if they repealed the clause in the Reform Act which abolished composition they would give the landlords power, by the non-payment of rates, to disfranchise occupiers by the thousand; but the right hon. Gentleman must have forgotten that under the law as it stood, if an agreement were made between the tenant and the landlord, the latter could, under the existing law, do just as the right hon. Gentleman said he would be able to do—although he doubted that—if this clause were repealed. Now, a long discussion had taken place last Session on the subject of notice, and it was shown that it would be incumbent on the overseer to give ample notice to the occupier as to any pending claims for rates. That being so, the occupiers could keep themselves on the register by paying the rates. He had himself put the question to the Attorney General whether occupiers would in this respect be in a worse position than they were before, and he informed the House they would not be placed in a worse position; they might claim to be rated as before. So that they need be under no apprehension that if this clause were repealed voters would be at the mercy of their landlords. Then, as regarded the system of composition as a means for securing the payments of rates by the poorest portion of the occupiers, it appeared to him that if they desired that the poorest occupiers should be relieved it ought to be done by Act of Parliament, and not be left to the discretion of magistrates or overseers. The present system ought not to be encouraged. He had a strong inclination to think that it would be wise to pass some measure by which the poorest might be relieved from the payment of rates; but they ought not to leave the matter to the discretion of parish officers. If that was so, the argument of the right hon. Gentleman as to the impolicy of composition fell to the ground. There was another kind of composition to which he desired to direct the attention of the House, under which the owner paid the rates where no composition existed. This system had also been abolished by the late Act, and he trusted that it would form one of the subjects of inquiry before the Committee presided over by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton). Formerly under this system an owner of a block of buildings would pay the rates for all his tenants; but under the existing law he was unable to do so except as agent for his tenants, every one of whom must be separately rated, by which the difficulty of collecting the rate was considerably increased. He did not wish to go into the whole subject of composition at the present time; but should prefer to wait before doing so until the Report of the hon. and learned Member for the Tower Hamlets' Committee had been presented to the House.

Mr. GOLDNEY said, he thought that it would be better for the subject to be inquired into in Committee than that the present Resolution should be agreed to. A question so deeply affecting the interests of one-third of the male occupiers of the country should not be left to the discretion of the vestries, who might use their power for political purposes. In 1850, before persons could vote it was requisite that they should be personally rated, and have paid their rates; but when the system of composition was introduced it was found that many persons who had previously paid rates and possessed votes were disfranchised by it. The following year, therefore, an Act was passed which enacted that payment by the landlord should be the same as payment by the tenant, and enabling the tenant, if he thought fit, to pay the rates himself. It was found, however, that the landlord might disenfranchise the tenant by neglecting to pay the rates. He trusted that the Report which the hon. and learned Member for the Tower Hamlets' Committee would present would be satisfactory, and that the hon. Member for Brighton (Mr. White) would not now press his Resolution, but would consent to refer the subject of it to that Committee.

Lord HENLEY said, he also hoped the hon. Member for Brighton would not press his Resolution to a division, seeing that such a course would put many hon. Members into a position of considerably difficulty. In the first place, they had not yet had sufficient experience of the working of the new system, and therefore it would be premature for them to retrace the step taken last year by simply replacing the compound-householder in the position he occupied before the passing of the Reform Act of 1867. In towns where the rates were collected every half-year they had had no experience at all of the working of the new system, and in those places where they were collected every quarter they had only had that one quarter's experience. The small experience, however, that had been obtained from that one quarter showed that, although the difficulty of collecting the rates appeared very great at first, yet that now things were quieting down the new system was actually working better than the old one. He was willing to admit that Northampton was not a very large town; still it numbered 40,000 inhabitants, and might be taken as a fair specimen of the working of the new system in a Parliamentary borough, in which compounding had existed to some extent before it was abolished by the Reform Act, and in which a considerable number of the inhabitants were small householders. The result of one quarter's experience of the working of the new system in Northampton was stated by the rate collectors to be that there was no difficulty in collecting the rates in full in two out of the four parishes into which the town was divided, and that in the other two parishes the arrears at the close of the rate were less than when compounding existed. That was a very remarkable fact—especially as the rate was made in October and ran into the following January, a period when it was difficult for the poorer classes to pay their rates. His correspondent, in order to test the question, had taken as examples 808 houses in the worst streets of the four parishes, upon which a full assessment of 1*s.* in the pound would produce £176 6*s.* 6*d.*, while under the compound system (with its deduction of 50 per cent.) the value of the rate was £88 3*s.* 3*d.*; and last quarter the amount virtually received—compounding having been abolished—was £127 4*s.* 9*d.* That was a very remarkable fact. Then there was still owing, £23 16*s.*; excused, £18 13*s.* 3*d.*; and empty houses, £6 12*s.* 6*d.*: in all, £49 1*s.* 9*d.* As regarded the houses themselves, 586 had paid, 101 were in arrear, 88 were excused, and 33 were empty. Thus it appeared that under the new system the advantage to the parish was represented by the difference between £88 3*s.* 3*d.* and £127 4*s.* 9*d.*, which was equal to £39 1*s.* 6*d.*, or more than 40 per cent of the whole amount realized under the old system. He admitted that some drawback must be allowed for the cost of summonses to non-payers and for extra salaries to collectors; but against those expenses might be put the £23 16*s.* of arrears, some of which would, no doubt, be collected. What was wanted was some further experience, and he, for one, was not ready to affirm so strong a Resolution as that of the hon. Member for Brighton. If, as time went on, it was found that in the large populous towns the evil continued, he should be one of the first to come forward and vote for such a Motion. But the Act of last Session ought, he thought, to have a further trial.

MR. SANDFORD said, he hoped some Member of Her Majesty's Government would rise and tell the House what course they intended to take upon this question—whether they would adhere to the declaration which the Prime Minister made to him (Mr. Sandford) the other day, that he would resist any alteration, or whether the experience they had since obtained had induced the right hon. Gentleman to modify his opinion? The right hon. Gentleman was a great stickler for verbal accuracy; but he did not think the right hon. Gentleman was quite accurate in the account he gave of the proceedings with regard to this matter last year, when he stated that the abolition of the compounding system was unanimously agreed to. To that statement he must give his humble contradiction, because he himself and a number of other Gentlemen refused their assent. He supposed the right hon. Gentleman would hardly say that he was to be held as agreeing to every Motion upon which he did not divide the House. But he must remind the House that they on that (the Ministerial) side were summoned to oppose the Motion of the hon. Member for Newark (Mr. Hodgkinson); that they went to dinner at seven o'clock, and when they came back at nine they found that the whole case was given up. In all his experience, which was now not short, he had never seen the House so surprised — he might say so stunned—as it was on that occasion. It was hardly fair, therefore, for the right hon. Gentleman to say that the Motion was unanimously agreed to, when it was well known in the Lobbies that if a division had been taken the Amendment of the hon. Member for Newark would have been rejected. The noble Lord who had just spoken said that the Act worked well in Northampton. The accounts he received from his constituents at Maldon were very different. The money could not be collected at all, and the expenses were every day going on. This was a state of things which demanded the immediate action of the Government. The hon. and learned Member for the Tower Hamlets (Mr. Ayrton), who seemed to have a paternal affection for his Committee, said, "Wait till we have made our Report;" but he (Mr. Sandford) objected to the whole legislation being handed over, as the Government seemed inclined to do, to the action of Committees. The Committee of the hon. and learned Member would not be likely to report until the end of the Session, and if the dissolution of Parliament took place in February the General Election would be under the existing state of things. There had been two remedies proposed—one recommended by the hon. Member for Pontefract (Mr. Childers) and supported by Lord Cairns in the other House. The other was made in the course of last Session by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), though the House did not think proper to listen to it. Thus after the 5th of July, when there could no longer be a question of the vote, the landlords should be made to pay the compound rate upon all those houses on which the rates remained unpaid. But he only asked for immediate action, and if it was to be a question whether the present state of things was to be continued, or the Motion now before the House to be adopted, he should certainly vote with the hon. Member for Brighton.

MR. EVANS said, he had asked a question the other evening of the Attorney General on this subject, and from the answer he received he supposed the hon. and learned Member fancied that he (Mr. Evans) had some sinister object in view; but he could assure him such was not the case. He had reason to believe that there were parishes in the metropolis where the system of compound-householding was re-established, and he wanted to know from the Attorney General what would be the effect upon the political rights of the voters. The system, which he believed existed in Poplar and Bromley-le-Bow, was this—the landlord paid the rates as agent for the tenant, of course getting a receipt for the full rate; but then he was paid a percentage for his trouble, which went under the name of Commission. Now, the House had a right to know whether this was legal or not; whether it was in accordance with the Reform Act, and, whether the tenants who came under that system would be deprived of their votes? With regard to the general question, he thought the whole mischief had been caused by placing the elector's vote on the ground of rating instead of rental. In the present state of the question, he agreed with the noble Lord the Member for Northampton (Lord

Henley) that it was undesirable to pass this Resolution before the Committee had reported.

Mr. WARNER said, that the hon. Members who had addressed the House had not exaggerated the evils of the present arrangement—evils so intolerable that a remedy must be found without delay. His constituents were among the greatest sufferers, and the burden was more than they could bear. The country could not afford to wait for the Report of the Committee. Sufficient light had already been thrown upon the matter to call for action. He was, however, unable to vote for the Resolution, because although the hon. Member for Brighton had fully made out the grievance, he was, he thought, mistaken in the remedy. He was unwilling to place in jeopardy the benefits which he anticipated from the Act of last year, and he advocated a larger and more liberal system of excusal, which it would hardly be possible to abuse for political purposes.

Mr. GATHORNE HARDY said, he did not intend to enter upon any lengthened discussion on the principles of the Reform Act which became law last year. But as the hon. Member for Maldon (Mr. Sandford) had asked the Government to state what their views were—which he thought were well ascertained already—he had only risen to give the information that as this Motion would not only repeal the compounding clauses of the Reform Act, but the whole principle of the Bill, it would, of course, be resisted by the Government. With respect to what took place last year, it was clear that the proposition of the hon. Member for Newark (Mr. Hodgkinson) was accepted—he would not say by every one—but, at any rate, there was no division upon it; and the right hon. Gentleman the Leader on the other side of the House, said that if this proposition were adopted by the Government all serious opposition to the Bill on the part of himself and his Friends would at once cease. The principle of the Bill for which the Government had always contended was the payment of rates for which the tenant was personally liable, not that he should pay them with his own hand, but that he should be personally liable for them, and make them good if they were not paid. Now what was asked by the hon. Member for Brighton? He complained that there was great inconvenience in many of the large towns from the system adopted. That might be the case. It was impossible that such an interference should take place with the former habits of the people without causing some inconvenience. But it could be done in very populous places, for the hon. Member for Stockport (Mr. J. B. Smith) said that in Stockport, and it was the same also in Sheffield, they had always gone upon the principle of excusing those who were unable to pay the rates, but of collecting the rates from each occupier and making them personally liable. [Mr. J. B. Smith: Hear, hear!] He was astonished to hear the hon. Member for Maldon, who had hitherto been in favour of checks with regard to the suffrage, say that he was prepared to accept the Motion of the hon. Member for Brighton, unless the Government undertook some remedy. The Motion of the hon. Member for Brighton was household suffrage pure and simple, without any rating at all. [Mr. Sandford: I said I would vote for it in preference to the existing state of things.] The Government had never accepted that principle. And all this was because some little inconvenience had been experienced at the first working of the system, without waiting to see whether or not further experience would remove it. The noble Lord the Member for Northampton was more reasonable; he acknowledged that in his town the working of the plan had been easier than was anticipated. But the House had lately appointed a Committee to consider the whole question. Now, could anything be more unreasonable than to say that a system which they had sanctioned only a year before should be repealed, altering the whole character of the Act; but without any further experience of the Act than had been gathered in one or two large towns, and while a Committee was still in deliberation on its working? He thought the House would not stultify itself by the adoption of such a Motion as this, which, though very vague in some respects, would nullify the principle contained in the Bill of last year without any proved necessity.

Mr. GLADSTONE said, that whatever need might arise at some period of the Session for a conflict between the various opinions upon this question, there was, in his opinion, no such necessity at present. He could not entirely agree to the retrospective part of the statement of the right hon. Gentleman; but at present he would trouble the House with no remarks either upon that or with reference to the manner in which his share and that of others in the events of last year had been misunderstood and misrepresented by a very impartial and distinguished, though not a very well informed person in "another place." Judging from the position of affairs in many parts of the country, the present Session could not be allowed to pass without some legislation on the matter. The old compounding system, he freely admitted, had many faults, and in some cases was made the vehicle of jobbery and corruption. Northampton, it was possible, had been one of those boroughs in which the system was so ill-constructed and so defectively applied that the change which had taken place had been an improvement. Be that as it might, he was convinced that the time must come when Parliament must take measures to restore the benefits, while avoiding the inconveniences of the compounding system. He accepted the proposal of his hon. Friend (Mr. Hodgkinson) last year, not as a good one in itself, but as a much smaller evil than that which otherwise impended; but it should be remembered that he recommended the House to turn its attention to the best means of retaining the advantages of the old system, and the matter could now be dealt with, apart from all political considerations, as a social and economical question. He was glad the subject had been brought forward, for he was anxious that the facts of the case should be represented by representatives of the different boroughs of the country, so that the House might arrive at an impartial decision upon it. The present discussion had shown that the matter was by no means a simple one; and while thinking it natural that the hon. Member for Brighton should have made a proposition aiming directly at the removal of the grievance, he thought the object in view would not be promoted by its being pressed at this moment. The House having only last year abolished compounding, the Government were entitled to know what was the general feeling on the subject, without being pressed for an immediate decision as to what course they would pursue. He trusted, however, that his hon. Friend the Member for Brighton, who had not introduced the subject in any spirit of controversy, would not bring the question to an issue prematurely. It must have been apparent that the House was anxious to have the matter dealt with at as early a period as possible. In fact, it would not bear delay. Not a week ought to be wasted in the consideration of the subject; but it was not wasting a week to sanction a delay which would place the House in a position to decide as to the best remedy which could be applied. There was every reason to believe that the Committee which had been appointed would shortly bring that portion of its labours which referred to this subject to a conclusion, and the hon. Member for Brighton would, therefore, in his opinion, be serving his own cause by adjourning the consideration of the question for the present. He trusted that when the matter came fully before them they would deal with it solely with the view to securing to the people of this country as much convenience as possible, and to relieve them as far as they could from what was a great trouble; and in so doing they would cast aside all feelings of self-love or complacency connected with anything that might have occurred last year.

Mr. WHITE said, that after what had fallen from his right hon. Friend the Member for South Lancashire, it would be the worst possible taste for him not to defer to the right hon. Gentleman's judgment. He therefore begged leave to withdraw his Motion.

Amendment, by leave, *withdrawn.*

ARMY—FORTIFICATIONS.—QUESTION.

Lord ELCHO, in rising to move for certain Returns of which he had given notice, said, that he had adopted the course which he was now pursuing because, from experience, he had found that to bring forward in Committee of Supply a question affecting our expenditure would result in its becoming so involved and mixed up with other details, as to preclude it from receiving the just consideration to which it might be entitled. The question to which he desired to call the attention of the House was one which involved three questions of considerable importance—the rightful or wrongful expenditure of a very large amount of public money, the efficiency of the fortifications which had been made to protect the keys of our maritime ports and of our supremacy, and, finally, the system and responsibility under which large sums of public money were expended and certain results obtained. Under the old system, if he was rightly informed, forts were constructed at haphazard—one placed here and another there—without any relation to any definite system or view to any ultimate plan. But the right hon. Gentleman the Member for Stroud (Mr. Horsman) at length moved the appointment of a Committee on the subject, and that Committee recommended the expenditure of about £10,000,000 or £11,000,000 in fortifications. Something like £7,000,000 out of that sum had been expended. The question they had then to consider was, whether that large sum had been properly expended, and whether the balance of £3,000,000 or £4,000,000 was likely also to be properly expended? The works already constructed consisted chiefly of earthworks, fortifications of granite, masonry, and so on; but latterly money had been expended upon shields for embrasures and batteries, the object, of course, being to counteract the improved power of artillery. Public attention had recently been directed to the subject, and it was doubted whether the country had been getting their money's worth for the expenditure which had been made, and whether the works constructed were as efficient as they ought to be. He held in his hand an article from *St. Paul's Magazine*, and in that article, which was evidently written by some one well acquainted with the subject, the writer said—

> "Nor can it be denied that nothing is more to be deprecated than that either Southwick, Widley, or Nelson (the three central forts on Portsdown Hill), or Brockhurst, Rowner, or Grange (the three principal works of the second line) should ever be tested by the rough and unmasking experience of war. No one can gaze into the deep chalk ditches which surround the Portsdown Hill forts without seeing that the scarp walls are already gliding in great slices into the ditch, and without imagining what would be the fate of the whole structure if a rapid and angry fire were sustained from 600-pounder guns standing upon the elevated terreplein of Forts Widley or Nelson. As to the miserably weak caponnières which flank these deep-cut chalk ditches, it will be sufficient to say that they belong to a system already as obsolete as the 68-pounder smooth-bore guns which these forts were originally intended to carry. But coming next to Forts Brockhurst, Rowner, and Grange, it should never be forgotten that Sir Roderick Murchison warned our military engineers, many years ago, that it would be impossible to build forts in the spongy soil which has here been selected for their foundation. Neglecting any precautionary measures, disregarding the condition of the site on which their forts were to be raised, our military engineers set to work to pile earth and brickwork upon the top of a quaking morass, and with what result it is not difficult to imagine. These forts—for which, by-the-by, Colonel Jervois is not responsible—carry guns which, although too small in calibre to be of serious annoyance to an enemy, would be quite big enough, if fired, to lay Forts Brockhurst and Rowner prostrate upon the ground."

He then goes on to speak of the Hilsea lines, of which he says—

> "These lines, nearly 3,000 yards in length, and mounting embrasures for ninety guns, are, in substance, long curtains of earth, with casemated batteries on the flank of each curtain. It has now been discovered that the embrasures have been placed so close together that the guns cannot be worked, and every alternate embrasure will have to be built up. Not that even thus would these embrasures, although reduced from ninety to forty-five, be rendered available for use in their present condition. The falling earth, intended to cushion the brick face of the casemates, has choked up the mouths of the embrasures, and, viewed in conjunction with the great fissures which have already rent the casemates, leaves upon the mind of the spectator an appalling impression of waste, folly, and decay."

To that statement, if uncorroborated, much weight might not, perhaps, have been attached. But a Question upon the subject was asked by some hon. Member, and the right hon. Gentleman opposite gave the usual official Answer—an answer which was of course put into his hands by those who were responsible for the manner in which the money was expended—that there might be some defects, but that the thing would be all right. But *The Times'* correspondent, who had written a description very much like that which appeared in a magazine, stated that he adhered to all that he had written, and that every word of it was literally and practically true. What, however, he more particularly wished to call the attention of the House to, were the iron shields and iron forts which had been constructed, and which were in course of construction, and in reference to these he had something more reliable to bring forward than statements which had been made in magazines and newspapers. Thirty-five iron shields, mostly designed for Gibraltar and Bermuda—the latter a place which, if we ever had unhappily a difference with the United States, would be a naval station of the greatest importance—had been constructed during the last year, and to these shields the attention of the public had been directed. It was stated that they were not well constructed, that they had been constructed without sufficient experiment, that they had never been tried, and it was impossible to say whether they would stand fire or not. Subsequently, however, the attention of Parliament was called to the subject, and experiments were made under the supervision of the officers who were responsible for the construction of the shields. These, which were called inductive experiments, were tolerably satisfactory; but the Minister for War thought that further experiments were necessary, and one of the shields was handed over to the Ordnance Select Committee for trial. Perhaps two shots, or at the outside three, were fired at it from a gun of moderate size, and the result was that nineteen out of the twenty bolts on the face of the shield gave way, showing that, if the shield had been fired at by an enemy, its bolts would have become so many additional missiles cast at the men for whose protection it had been set up. The Secretary for War had shown great judgment and courage, for, had he listened to the advice of those who were responsible for the shields, no such experiment would have taken place. Guided by the result of the Ordnance Committee experiment, his right hon. Friend desired that the shield should be tested more thoroughly, and he appointed a Special Committee for the purpose, headed by the hon. Member for Stamford (Sir John Hay), who was also a Lord of the Admiralty, than whom he could not have chosen a better man. The hon. Member for Stamford, it would be remembered, was at the head of the Iron Plate Committee which sat in 1863, and having conducted a series of careful experiments, laid down a general principle applicable to everything in the shape of armour constructed either wholly or in part of iron. Referring to the shield designed by Colonel Inglis, that Committee reported as follows:—

> "It appears that even the 15-inch (Inglis) shield, if constructed with three layers of 5 inches thick each, could not long resist such a gun as the 300-pounder, with large charges of powder, the initial velocity of the shot and the work done being so great that nothing less than 7½-inch iron would resist it. Probably, therefore, plates or planks 8 inches thick are the least that should be used for a coast battery."

It happened that a coast battery was the very thing he was referring to. That Report was issued in 1863; in 1867 the subject was brought before the House, and objection was taken to the method of construction of those shields; and he wished to ask his right hon. Friend the Secretary for War, whether the officers responsible for the construction of the Gibraltar and Malta shields had read the Report of the Iron Plate Committee? If they had read it, why had they not acted on it? The simple fact appeared to be this. An able Committee, after a series of careful experiments decided that 8-inch plates were necessary for a coast battery; but, in the face of this, certain officials set to work constructing the Gibraltar shield of plates 5½-inch, 5-inch, and 1½-inch thick respectively, without having made any experiments of their own. Surely, that was the most extraordinary proceeding ever presented for the consideration of a Secretary for War. But this Gibraltar shield had been submitted to further trial by the specially appointed Committee, and the House now waited its Report. The Ordnance Committee's experiment had been conducted in secret, and the battered shield covered by tarpaulin; but as everything became public now-a-days, a full account of the experiment appeared in the papers next morning. Some scientific men who had examined the shield had concluded that, even if it were strengthened by the use of a different kind of bolt, as it was on the last experiment, it was a complete failure; it had been battered completely out of time, and the Committee, properly speaking, had nothing to do but certify to its failure. The public would, therefore, regret to learn that the Committee had recommended further experiments with the shield at the country's expense. However, the blue book recounting the results of the trials already made would, no doubt, soon be in the hands of Members, when they and the public could form an independent judgment on the points he had raised. His Question specially referred to a fort to be erected at Devonport, and a similar fort to be erected at Bermuda. Last Session chance had shown him a drawing of these intended forts, and a person pointed out to him at the time what appeared to him to be defects in construction. The criticism the gentleman offered accorded with a common sense view of the case, and he accordingly brought the matter before Parliament. He asked his right hon. Friend the Secretary for War, whether, before these works were further prosecuted, a section of one of them might not be made and tested. After a little discussion, the hon. and gallant Member for Stamford (Sir John Hay) assented to the proposition. He (Lord Elcho) then proposed—

> "That a complete section be made, full size, of Devonport Breakwater, giving one embrasure, granite base, concrete roof, with two supporting pillars, girders, brickwork, granite, &c., as per drawing, signed by Colonel Jervois, January 19, 1867, and issued to contractors—that this section should be submitted to the following tests:—Six shots of Palliser's projectiles from the 9-inch rifled gun; six shots of Palliser's projectiles from the 600-pounder rifled gun; both guns to be placed at 600 yards."—[3 *Hansard*, clxxxix, 1300.]

It was understood at the time that the Government accepted that proposition in substance; but whatever might have been the intentions of the Government, the necessary sections had not been constructed, nor were they in course of construction in accordance with the understanding he had quoted. He did not in the least blame the Secretary for War, because on a professional question such as this he was manifestly obliged to be more or less in the hands of departmental officers interested in the construction of the works. Knowing that his right hon. Friend had insisted as far as possible that the section should be constructed precisely in accordance with the understanding come to with him, that it should, in fact, be a section of the actual fort to be erected at Devonport, he wished to show the House how materially the target differed from the armour of the fort. If the House would bear with him he would read a description of the plan of Plymouth fort, as sent out by the War Office for tenders to various contractors, and side by side with it he would also read a description of the target, supposed to represent the Plymouth fort, now being erected at Shoeburyness. The House and his right hon. Friend the Secretary for War would then admit he was more than justified in the course he had taken. The statement he read was as follows:—

"In the original plan the distance from centre to centre of piers is 21 feet 9 inches; in the target it is between 1 and 2 feet less to give greater strength. In the plan the piers are proposed to be filled with brick laid in cement, and to receive no support whatever from the floor—that is to say, to resist forward strains from impact of shot; in the target the left-hand pier of this is laid upon granite, and bars of iron, 12 inches by 5 inches, are put in vertically to support it. In the plan the straight or transverse girders are, as it were, loose on the top of the piers and box-girders (without being connected to each other), and are held in their places by a few rivets only; in the target they are riveted to the piers and to the box-girders with extra plates, and brackets are fastened on the top of each girder for connecting the 3-inch bolts (which go through the front armour-plates), instead of screwing them up in the concrete only, as shown in the plan of the Plymouth Fort, and not only have they a greater number of rivets at each end and plates to secure them, but arch-plates, extending from one girder to the other, riveted fast. In the plan the back box-girders which carry the straight girders are 1 foot 6 inches deep; in the target they are 1 foot 11 inches deep, and are bedded into the masonry of the old casemate with which they are connected at rear. In the plan the bolts are 3 inches in diameter, reduced in the body, on Palliser's principle, to about 2¾ inches diameter, and the holes for these are proposed to be only a trifle over 3 inches for the bolt to pass through; in the target the bolts are of the same size, but the holes are 4 inches in diameter, for the purpose of receiving wooden pads ½-inch thick, and are double countersunk on both sides. In the plan the intermediate port-plates are cut short, and 16½-inch bars, about 3 feet long, are used to make up the deficiency on the top; the target has a port-plate of the full height, thereby strengthening the structure very considerably. In the plan, in the 21 feet 9 inches centre to centre of piers there are two joints, or "butts;" in the target the three plates are in one length each, and the target is therefore much stronger. In the plan there is no base-plate, the 12-inch by 5-inch vertical beams are merely sunk into the granite foundation about 6 inches; the target has a base-plate about 2½ feet wide and 2½ inches thick, the whole extent of the target, and slots are formed in it, through which the 12-inch by 5-inch bars pass and fasten into the granite about 10 inches deep. In the plan no port-stiffeners are shown, and the inner and middle bars are, as it were, cut through by a series of bolt-holes; these have been put to the target by bolting another 12-inch by 5-inch bar to those already shown in fort drawings. In the plan the size of port-hole is 4 feet by 2 feet 4 inches; in the target it is diminished to 3 feet by 2 feet 5 inches. In the plan the arch-plate just over the guns, which communicates with the front plate, is about 1 foot 8 inches wide; in the target it is 6 feet wide. In the plan the bars and plates are shown in contact and no elastic medium between; in the target oak, 1 inch thick, is intended to be placed between the armour-plates and the 16½-inch bars. Since this was written several important alterations have been suggested and are being carried out in the target, and since the inquiry in Parliament many of the modifications have been made to the Plymouth Fort itself."

These details were too technical for the House, but they would be published to-morrow, and then those who took an interest in the matter would see that there had been a distinct departure from the understanding which had been come to in that House, and that the section in question was no more a section of the Plymouth Fort than it was a section of Sebastopol, Gibraltar, or any other fort constructed in any part of the world. He was prepared and the House, also, must be prepared for the right hon. Gentleman getting up, giving an official answer, and finding some reasons satisfactory to him and no doubt to the officers concerned, but probably not to the House, for this manifest and clear departure from the original understanding. He had been told that a gentleman at the War Office had said that it was very like a rabbit warren. Now, a rabbit warren had what were called "bolt-holes," and he wished as far as possible to anticipate the statement of the right hon. Gentleman, and thus to stop up the "bolt-holes" by which he might attempt to escape. It might be said that the fort as originally constructed was intended only to meet the artillery of the time. His answer to that was that the date of the contract for the fort was signed the 19th of January, 1867, and the President of the Iron Plate Committee (Sir John Hay), who was sitting beside the right hon. Gentleman, would bear him out when he said that the artillery of 1868 and 1867 was identical. Therefore, this fort ought to have been able to resist the artillery which might be brought to bear upon it in 1868. What did English artillery consist of? Of a 600-pounder Armstrong muzzle-loader 12-inch gun, a 10-inch gun rifled, a 9-inch gun rifled, and a gun of smaller description to which he need not refer. This fort, therefore, if meant to resist the artillery of England, ought to have been constructed to resist the guns of 1868. The second "bolt-hole" might be this, that it had been intended to resist attack from guns carried by our own navy. Now, our own navy was not as yet armed with the 600-pounder 12-inch gun; it was armed with the 9-inch gun, and the *Hercules* was intended to carry the 12-inch gun. But, though the English guns were supposed to be the best, the guns of other nations should be taken into account, and these forts ought to be able to resist American guns also. He had been informed that experiments had been made with the 15-inch Rodman American gun, which would astonish the artillerists of this country. But, beyond the 15-inch gun, the Americans had, he believed, got actually afloat a 20-inch gun, and he was told they were constructing guns of 30 inches, and even larger. He ventured to think, therefore, that money spent in the erection of forts ought to be so laid out that the forts would be calculated to resist, not only the shot of English but of foreign guns, and that they should look not only to the present but also to the future. The third "bolt-hole" might be that the forts were so constructed as to be capable of being strengthened should artillery increase in power. But he had every reason to believe that, in the opinion of scientific men, the construction of this section of a fort was so defective that it would not admit of such strengthening, and that, if an attempt were made to do so, it would virtually amount to an entirely new structure. Another point was this, that the fort was not intended to be constructed according to the design proposed to be contracted for; but when the contracts were sent in, it was suggested that the contractors should make any propositions they thought desirable with a view to strengthen it. Now, he had read a letter in a public print, from which he thought it not impossible that the contractors were desired to send in within a given time suggestions for improving the construction. But, if such a thing was done, the contractors, at the time the works were begun, had sent in no suggestions; and therefore he was in a position to state as a fact that the tender was issued, the contract accepted, and no change in the construction of the fort was commenced until the attention of Parliament was called to the subject. He did not apprehend it could be said that the changes which had been made were necessary in order to give this section a stability equal to that which it would have had if it had been a section of the actual fort *in situ*. But then it might be urged that the money voted by Parliament was insufficient, and therefore more could not be spent on these shields. His answer was that people might differ in opinion as to whether these forts were or were not necessary; but if it was once decided to erect them there could not be two opinions but that they ought to be made really effective for the purpose for which they were required. If you wanted a bullock fence to keep cattle out of your garden, it would not be of much use to put up a sheep fence; but this was just what we were doing in adopting ineffectual means of keeping out heavy shot and shell. He did hope that his right hon. Friend would see that the experiment was fully and fairly carried on. Happily, public attention having been called to the subject, there was now a chance of erecting efficient, instead of inefficient, forts. If attention had not been so directed to the subject the £11,000,000 might have been spent in the erection of inefficient forts; and the first intimation that Parliament and the country would have had of the way in which the public money had been wasted would, perhaps, have been the crumbling down of these forts under an enemy's fire in a place which might be the key of English maritime supremacy. There was something wrong in a system which admitted of such a state of things, and what Parliament and the country ought to insist upon was the bringing home of these things to individual responsibility. If the forts were well-constructed, give all credit to the constructors; if they were ill-constructed, let the responsibility be brought home to the proper persons. The noble Lord concluded by asking the Secretary of State for War, Whether he will lay upon the table of the House Copies of the original plan and specification of Plymouth Breakwater Fort, as contracted for and signed by Colonel Jervois on the 19th day of January 1867; of the plan and specification of the so-called section of the Plymouth Breakwater Fort, now being erected at Shoeburyness for trial, marking and colouring any alterations that may have been made; and, whether he will cause further progress with the Plymouth and Bermuda Forts to be stopped, until the section of the Plymouth Breakwater Fort shall have been fully tested by actual experiment. He would also ask, whether his right hon. Friend would attach to the plan an estimate in detail of the relative cost of the original design as contracted for, and of the section now being constructed at Shoeburyness?

GENERAL DUNNE took that opportunity of asking the Secretary of State for War, If the Artillery authorities have been sufficiently consulted as to the arrangements and details of the new Defences in this Kingdom, and if they have made any Observations, or if there be any Correspondence upon the subject either with the War Department or the Commander-in-Chief, and whether he will lay such Correspondence upon the table of the House; whether the Inspector of Artillery has been directed to report or has reported on the state of efficiency and armament of these Defences, and if he will lay such Report upon the table of the House; and, whether any Officers besides those engaged in their construction have been employed to make a similar Report as to construction, efficiency, and armament of such Defences, and if he will lay such Report upon the table of the House? A sum of £5,000,000 having been voted for the defence of the country, and it having been said that there was a prospect of the expenditure of £15,000,000 the question could not but be interesting to the country. When accusations were made out of doors that the public money was being wasted in the construction of these forts, the House had a right to know on official authority what the facts were. In a recent publication it was stated "that we have no single reliable land defences, and that we have a great many which are worse than useless." Was this true? No doubt, the locality, and the form, site, and purpose of these forts had been decided upon by several Committees of scientific and military men, of experience and rank in the service; but these officers had nothing to do with their construction, and the construction of these forts was condemned by men qualified to give an opinion. It was alleged, among other things, that the defences had not been constructed in accordance with the plans, and that the experiments had been made with sections purporting to be the same, but really stronger than those of the actual forts. He supposed there was hardly a Gentleman in this House who had not read a letter in *The Times*, giving a detailed account of each of the new defences in course of construction, pointing out that almost all the forts were inefficient. For himself, he did not pretend to give an opinion; but these statements had made a deep impression upon the country. Had not only the engineer officers, who were themselves constructing these forts, but others, and artillery and naval officers been sufficiently consulted on these questions? He wished the right hon. Baronet would give the House an assurance that the works were being carried out in accordance with the recommendations from time to time made by different Committees upon the subject. It was asserted they were not. For instance, one of the points reported upon by the Iron Plate Committee—of which the hon. and gallant Baronet, just below him (Sir John Hay), was President—had been as to the thickness of iron which ought to be used. 7 inches to 7½ inches, it was supposed, would be the least required to oppose with success shot thrown from guns of the calibre now employed. The Committee even proposed 10 inches. It had been suggested that, in some cases, the thickness of the iron had been reduced to 5 inches, and it was important that the grounds for such a change, if made, should be investigated. He had every confidence in the professional skill of the officers who were superintending the execution of the works; but it ought to be satisfactory, and really was due, to those officers themselves, as well as to the public, to feel that the progress of the works should be tested and approved by others. It was but fair towards the War Department to acquaint his right hon. Friend the Secretary of State with the statements which were current, leaving it to him to give such explanation of the points involved in those statements, or to take such action upon them as he thought necessary. Again, it was said that sections of the defensive works were being erected with a view to be experimented upon at Shoeburyness, and that those sections would be of greater strength than those which were in course of erection in the actual works, and hence that the experiments made upon them would not test the real strength of the fortifications. Moreover, it was known that six weeks must elapse after the concrete had been put in before the sections were sufficiently advanced to be experimented upon; and, accordingly, the end of April or the beginning of May would have arrived before any results were placed in their hands. Meanwhile, the works at Bermuda would have been completed, and those at Plymouth so far advanced that the experiments would be valueless for any practical influence which they would exercise upon the character of the works. In fulfilling the contracts it was believed that the specifications in some cases had been departed from; for the contractors stated that after they had made their contracts on certain specifications, changes were subsequently made in them, and even contrary to their own advice. For this there were doubtless good and valid reasons; but it would certainly be satisfactory that able officers not connected in any way with the works, and therefore competent to take an independent and impartial view, should inquire and give the Government the benefit of their testimony. Again, there were preparations for testing what were called the War Office and the Gibraltar shields—it must be in the recollection of the House that some months since several of these latter shields had been sent out without being tested, and after they were gone, it was found that a few shots knocked them to pieces. They were now preparing a section of the War Office shield for trial, strengthened by stringers and 5½-inch bars at the back, and it was said they had actually proposed to fill the interstices with Trinidad pitch, which was nothing else than bitumen. Had they found out that shells would not set bitumen on fire? The country was perfectly prepared to bear the expenses of constructing any defences which were considered absolutely necessary; but it wished to be assured that these would be so constructed as not to fly to pieces before the enemy's cannon. The hon. and gallant General concluded by urging upon the right hon. Baronet the importance of giving detailed information upon all these points, with a view of satisfying the public mind.

SIR JOHN PAKINGTON: My noble Friend, in the observations he made in introducing this question, expressed confidence that he would have from me an official answer. In a certain sense, no doubt, any answer I may give must be an official one; but my answer will not be official in the sense in which he used the term—that is to say, it will not be dictated by official persons in the War Office. It is entirely out of my power to meet his statements, for the best of all reasons. I have never heard a speech with more surprise than I heard that of my noble Friend; because I had not the slightest expectation, from the form of the Questions put by the noble Lord, that he intended to enter, as he has done, into the whole question of the system of fortifications now being constructed for the defence of our arsenals. I admit as readily as anyone the immense importance of that subject. I cannot complain of any hon. Member who thinks it his duty to come down and ask for explanations upon a matter involving an immense expenditure of public money, and exciting, as it naturally does, a very great amount of public interest. At the same time, I cannot shut my eyes to the fact that in all observations made in this House with reference to works of fortification, there always is, more or less, an attack on the officials whose duty it is to carry out the plans, and this renders it more desirable that I should be able to speak with exactness in dealing with this subject, and that with that view I should have an opportunity of conferring with those upon whom these special duties are imposed. No man can stand in a more unprejudiced and unbiassed position than I do. This system of fortifications was begun in 1860, under the Government of Lord Palmerston, and they have been going on since that time, and I am perfectly free from any interest in it until I took the office I now hold. I am not, therefore, interested in the defence of any individual; I have no motive to screen any wrong doer, if wrong doer there be; and the only feeling I can have is a sincere desire that what is done shall be done as well as possible. If money is being wasted, it is of course being wasted on a large scale; and if there are hon. Members who think it is being wasted, or that the works are being carried forward on too large a scale, or that the expenditure will not produce results corresponding to its magnitude, I invite them not to do what has been done to-night—not to give a Notice relating to one subject and make a speech upon another—but to give fair notice of a Motion; and, if they mean to assail individuals, let us know who they are, so that they may be put upon their defence, and a proper answer may be given by the Member of the Government whose duty it may be to reply. But when my noble Friend comes down and says he has read an article in *St. Paul's Magazine*, and when my hon. and gallant Friend behind me (General Dunne) refers to a well-known print, I really think the House will not quarrel with me as to my Answer. A very large and important work, involving a very great expenditure of public money, has been carried on for eight years, under the sanction and the supervision of the most eminent scientific persons in the country. Notwithstanding that, there may have been mistakes committed, and the works may not have been constructed in the most desirable manner; but if that be the case, let us know the authority upon which they are assailed, and, as I said, do not let us go upon what may have been said by the *St. Paul's Magazine* or even a well-known print. [General DUNNE: *The Times.*] My hon. and gallant Friend has only confirmed the expression I used. No one can have any doubt that that most eminent journal may be fairly called a well-known print. I take no exception to that; but I do think, and I say it in no official sense, hon. Members, when they proceed, not only to criticize what has been done, but to throw censure upon the individuals who have done it, are bound, in common fairness between man and man, to recollect the extraordinary progress that has been made in the course of eight years in the scientific matters involved in the construction of these works. Whatever the comments now made as to the manner in which those works were carried out, it must be remembered that when they were designed and their construction was first commenced, no human being had the slightest idea or expectation of that artillery by which, if unfortunately we were now involved in war, those forts would be assailed. I think that in justice to those who are carrying out the works, that fact ought to be borne in mind. Under these circumstances, I am not prepared to meet my noble Friend on a subject of which he has given no Notice. My noble Friend has given Notice of a specific question, and that I am quite prepared to answer; but I had no idea that my noble Friend had any intention of involving me in a discussion of so large a subject as that to which he has addressed himself. I think that such a subject should be brought forward on Notice, in order that the Government and independent Members might come down prepared to discuss it. My noble Friend alluded to the trial of the Malta and Gibralta shields. He is aware that those shields were subjected to a fair trial, and he knows the course I adopted. [Lord ELCHO: Hear!] As soon as the trial took place, and it became apparent that those shields would not resist the artillery of the present day, I immediately advised the Iron Plate Committee, of which my hon. and gallant Friend the Member for Stamford (Sir John Hay) is Chairman, of the result of the experiments. Hon. Members will have an opportunity of reading the Report of that Committee. My noble Friend put a Question to me in reference to the Plymouth Fort and the Bermuda Fort, and the target which will very completely represent a section of the Plymouth Breakwater Fort. The target will, I believe, be ready for trial in the course of about three weeks. As much progress as possible is being made in its preparation. I must confess that I do not think any blame is to be attached to a public officer who profits by experience; but my noble Friend seems to be very angry because a public officer has not adhered to something which he believes to be defective. The House will be enabled to judge of the course taken by Colonel Jervois in the matter. I intend to produce an accurate and *bonâ fide* copy on a small scale of the section now being erected at Shoeburyness; but I am afraid it would not be convenient to lay upon the table a full-sized copy. With respect to the suspension of the works a difficulty arises, owing to the distance between this country and Bermuda; but directions have been sent out to suspend them as far as possible, until the trials shall have taken place, and we shall have been enabled to decide to what extent the plans ought to be altered. With regard to Plymouth the contractors are proceeding with the work; but we have given directions, which I have every reason to believe will be carried out, that no such progress shall be made as would prevent us in that case also of availing ourselves of any results which may follow from the experiments. I trust what I have stated will be satisfactory to my noble Friend, and that he will see that we wish to do what is right in this matter.

LORD ELCHO inquired, whether there

would be any objection to marking and colouring any alteration that might have been made in the section of the Plymouth Breakwater Fort now being executed at Shoeburyness for trial; and, whether his right hon. Friend would produce the estimates for which he had asked?

SIR JOHN PAKINGTON said, the alterations would be indicated. He should make inquiry as to the estimates, of an intention to ask for which his noble Friend had given no notice.

CAPTAIN VIVIAN appealed to his right hon. Friend the Secretary of State for War not to make his general Statement on the Army Estimates to-night. The right hon. Baronet had told them in the early part of the evening that he would not commence that Statement after ten o'clock, and as it then only wanted about a quarter of an hour of that time, and, as many Members who felt a strong interest in the subject were not present, he would ask the right hon. Gentleman to take at once, if it should be necessary, a Vote on Account, and to postpone his address until another evening.

SIR JOHN PAKINGTON, with the indulgence of the House, begged to say that as it was so near ten o'clock, and as he had promised not to make the statement after ten, he would act on the suggestion of his hon. and gallant Friend.

COLONEL NORTH regretted that the right hon. Gentleman had given way, because he considered the House was sufficiently full to give due attention to the subject.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a sum, not exceeding £6,000,000, be granted to Her Majesty, on account, towards defraying the Army Services, for the year ending the 31st day of March 1869."

MR. AYRTON said, that the plan of taking Votes before the explanatory statement was made was most objectionable, and that it would be better to adhere to the old practice.

SIR JOHN PAKINGTON reminded the hon. Gentleman, that it was only intended to take a certain proportion of the sums required.

MR. OTWAY said, he could see no objection to their agreeing to the Vote. The right hon. Gentleman had treated them very fairly by deferring his Statement, and they need not, in consequence of his having done so, refuse him the money which he asked for on account.

MR. AYRTON wished to know, whether it was regular to proceed with a Vote of £6,000,000 without a preliminary Statement on the subject?

SIR JOHN PAKINGTON remarked that if his hon. and learned Friend persisted in his objection he would agree to the Vote being postponed.

MR. AYRTON still thought that the Motion was one of a very unusual character.

Motion, by leave, *withdrawn.*

SUPPLY—NAVY ESTIMATES.

(1.) 67,120 Men and Boys, Sea and Coast Guard Services, including 14,700 Royal Marines.

MR. CORRY said, it was somewhat unusual to pass a Vote for the men required for the Navy before hearing the general explanatory Statement on the Navy Estimates; but in the present state of public business this course was inevitable, because it was necessary that the new Mutiny Bill should receive the Royal Assent before the Easter holydays, which would probably commence at an earlier period than had been stated at the commencement of the evening.

MR. CHILDERS said, it was contrary to general practice to submit such a Vote to a Committee of Supply before any explanatory Statement had been made on the part of the Board of Admiralty. But if it were to be understood that the Vote was taken merely for the purpose of securing time for the passing of the Mutiny Act before the Easter holydays, and that they were not hereafter to be precluded from discussing the details of the Navy Estimates, he would not oppose the Motion.

MR. CORRY pointed out that this was not a money Vote, but simply had reference to the number of men. There was a precedent in 1846 for the course now adopted.

MR. O'REILLY presumed that it was simply a conditional Vote as to the number of men, and would be subject to any Amendment which might be proposed hereafter.

Mr. OTWAY asked the right hon. Gentleman, whether any directions had been given by the Board of Admiralty to remove the ship *Wellesley*, which had been so long stationed at Chatham; and whether any determination had been come to by the Admiralty to fit out, or pay off, any more ships at Chatham?

Mr. CORRY said, he had an important statement to make on the subject when he formally brought forward the Navy Estimates. It would be inconvenient, therefore, to answer the question at the present time.

Vote *agreed to.*

(2.) £2,000,000, on account for Navy Services, *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

HABEAS CORPUS SUSPENSION ACTS, &c. (IRELAND.)

MOTION FOR A RETURN.

Mr. REARDEN said, he rose to move for a Return of the number of times the Habeas Corpus Act has been suspended in Ireland since the passing of the Act of Union; the number of Arms Acts, Whiteboy and other Acts of repression in Ireland passed since the said Act of Union; the number of persons sentenced to death, transportation, and imprisonment in each year for political offences; and a Statement of the Act under which each person has been so sentenced.

Mr. J. STUART MILL seconded the Motion.

The Earl of MAYO said, he was sorry he could not consent to the production of that Return. The information sought by the first part of the Motion could be easily obtained by a reference to the statute book; but it was impossible to give the particulars required by the second part, as political offences, as far as he was aware, were not defined as such by the law. He apprehended that the prisoners to whom the hon. Member referred had been sentenced in accordance either with the statute or the common law; but it would be difficult to state the particular Acts under which they had been so sentenced. He must add that he thought no possible good would be derived from the production of those painful records of the past.

Mr. O'Reilly

Motion made, and Question,

"That there be laid before this House, a Return of the number of times the Habeas Corpus Act has been suspended in Ireland since the passing of the Act of Union; the number of Arms Acts, Whiteboy and other Acts of repression in Ireland passed since the said Act of Union; the number of Persons sentenced to death, transportation, and imprisonment in each year for political offences; and a Statement of the Acts under which each person has been so sentenced,"—(*Mr. Rearden,*)

—put, and *negatived.*

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE (IRELAND) BILL.

LEAVE. FIRST READING.

The Earl of MAYO: Sir, in rising to move for leave to bring in a Bill for the Amendment of the Representation of the People in Ireland, I shall endeavour, as briefly as possible, to explain to the House the provisions of the measure which it is proposed to introduce. In the year 1850 an Act was passed which very materially affected the representation of the people in Ireland. The immediate effect of that Act was to add to all the former franchises which existed in respect to the counties in Ireland an occupation franchise based on the value of £12; that is to say, every person who was rated to the relief of the poor at the sum of £12 and upwards should have a vote. In addition to the franchises already existing in the boroughs, an occupation franchise at the value of £8 was likewise created. The effect of the Bill was to make a very large addition to the number of electors in Ireland. The entire number of electors before the Act of 1850 passed amounted to about 72,000; there having been 31,000 in counties, and about 40,000 in boroughs. In 1866—the last year for which we have any authentic information—the total number of electors in the counties and boroughs of Ireland was 204,000; of whom 174,000 were found in the counties, and 30,700 in the boroughs. Well, I propose to dismiss at once the consideration of the county franchise in Ireland by announcing to the House that it is not the intention of the Government to make any alteration in that respect. The county franchise in Ireland stands now at precisely the same point at which it is fixed in England by the operation of the Bill which was passed last year, and therefore the Government do not intend to effect any change in it. With regard to the borough franchise we do propose to make a considerable alteration. The House is probably aware that poor rates in Ireland, as a rule, are levied in this way:—The occupier pays the whole of the poor rate in the first instance; but, as a general rule, he is enabled by law to deduct from his rent one-half of the poor rate which he has paid. Therefore, in fact, the poor rate is divided substantially between the landlord and the tenant; but with this exception, that in respect of all hereditaments valued at and below £4 the immediate lessor is liable for the whole rate, and in fact the rate is paid by him. This state of the law exists, I may say generally, over the whole country, both in the town and in the agricultural districts, with the exception of the five following towns:—Dublin, Cork, Waterford, Limerick, and Belfast, in which towns the immediate lessor is liable to the payment of all the poor rate at and below £8. Well, we have proposed, in the first instance, to assimilate the law in that respect, and to place those five towns on the same footing as the rest of the country,—that is to say, that the poor rate above £4 should be paid in equal shares between the landlord and the tenant, and that below £4 the immediate lessor shall be liable for the whole rate. That being the case, then, and keeping in view the principle of the payment of rates as a basis of the franchise, we propose to fix the borough franchise at £4. We believe that is a proposal which is likely to be lasting, and to prove satisfactory. The effect of it will be that every male occupier in Ireland, who is now liable to pay any portion of the poor-rates, will have a vote for the borough in which he resides. It is proposed to attach to this franchise precisely the same conditions, with regard to residence, registration, and all other matters connected with the suffrage, as now attach to the borough franchise. No alteration will be made in that respect. Further than this I do not think that it is at all desirable to go, and, in fact, it would be impossible to do so. The payment of the rates by the immediate lessor for all tenements below £4 is accepted as, and has become for many years, the law of the country; and I believe there is no class, no body of persons in Ireland who wish to see any alteration whatever made in the law in this particular. Therefore, we propose, as I have said, to fix the borough franchise at £4. We are able to inform the House of the precise effect which this extension of the franchise will have in increasing the constituency. The present number of borough electors in Ireland is altogether somewhere about 30,700. I have not the Returns for 1867, which have not yet been made up; but I have ascertained that there is no substantial difference between the Returns for 1867 and those for 1866, which were quoted by my right hon. Friend opposite (Mr. C. Fortescue) when he introduced his Reform Bill in that year. Well, the addition to those 30,700 borough electors in Ireland, which will be made by our proposal, will be about 9,313. We also propose to extend to Ireland the same provisions with regard to the lodger franchise as are contained in the Act of last year. There are likewise some alterations necessary which will effect a great improvement in the mode of registration in the City of Dublin, whereby the duties now performed by the clerk of the Union will hereafter be performed by the collector general of the rates. Very great convenience will arise from these alterations. We also propose to make the same provision with respect to inquiries into the boundaries of boroughs as was made in the English Reform Bill. We propose that, as soon as possible, a Boundary Commission for Ireland shall be constituted in the same way as the English Boundary Commission was constituted. These are the simple proposals I have to make to the House with respect to the borough franchise. I think that the House will easily understand them, and from what I have heard of the general expression of opinion in Ireland, I believe that, on the whole, they are likely to give satisfaction to that country. I now come to the next portion of the Bill, which, perhaps, will be more interesting to the House than the question of the franchise, and that is the portion having reference to the mode in which we propose to make an alteration in the distribution of seats. I hope the House will allow me to make a short comparative statement in respect to the representation of the boroughs and counties in Ireland. There are 33 boroughs in Ireland, returning 39 Members. Their population amounts to 797,467 persons, and their valuation to £1,592,365. The number of electors is 30,758. With respect to these 33 boroughs, it is remarkable that the three cities of Dublin, Cork, and Belfast absorb more than half the borough population of the country; they absorb two-thirds of the valuation, and more than half the number of electors, leaving only for the remaining 30 boroughs 352,846 of population, £482,013 of the valuation, and 13,214 electors. The population of Ireland, I need not remind the House, is in round numbers 5,500,000, and the valuation £13,000,000. It will be seen, therefore, how small a portion of the wealth and the population of the country these 30 boroughs represent. I would also point out to the House that there are really no unrepresented towns in Ireland which have any strong claim for representation. The four largest unrepresented towns are Kingstown, with a population of 11,584, which is composed very much of the suburban population of the city of Dublin; Queenstown, with a population of 8,653; Newtownards, with a population of 9,521; and Ballymena, with a population of 6,739. I should like the House to observe, also, how the counties stand as compared with the boroughs with regard to population, electors, and valuation. There are 32 counties in Ireland with 64 Members, and a population in 1861 of 5,001,097. Their valuation is £11,327,397, and the number of electors in 1866 was 174,183; so that compared with the state of things in the boroughs, there is an enormous difference, as the House will see, between the counties and the boroughs in regard to all those points which materially affect the question of representation. If you take the case of four of the largest counties in Ireland—Cork, Tyrone, Down, and Tipperary; and I do not allude to Antrim, because it is already represented by six Members, and therefore it is not necessary to interfere with its representation—what do you observe? In those four counties there is only one Member for 5,625 electors. In the other 28 there is a Member for 2,320 electors. In these four counties there is one Member only for 156,243 of the population. In the other 28 counties there is one Member for 66,970 of the population. In the four counties I have named there is one Member for £360,379 of valuation. In the other 28 counties there is one Member for £150,792 of valuation. I state this to show how strong a claim these four counties have for increased representation; and we propose in this Bill to submit a plan for the purpose of giving to them that increased representation. The question is, How is this to be done? There are six towns in Ireland which return two Members each—namely, Dublin, Cork, Limerick, Waterford, Belfast, and Galway. Of these Galway is the smallest, and has a population of 25,000. Therefore it would be most unjust, and, indeed, impossible, to withdraw from any of those towns returning two Members one of its representatives. So there are no means of getting additional county representation from that source. It has often been suggested, and, indeed, proposed in many Bills that have been introduced into this House, that some of the towns in Ireland should be grouped for the purposes of representation. That would be a system altogether new in Ireland, and we have come to the conclusion that there are no materials in Ireland whereby a satisfactory system of grouping could be established. I have shown that there are no new towns which deserve representation; and in all the schemes, which have exhausted the ingenuity both of my right hon. Friend the late Secretary for Ireland, of my right hon. Friend the Member for Roscommon (Colonel French), and of several other Gentlemen, I think no system of grouping was proposed for Ireland which appeared to give the slightest satisfaction to any party. The fact is, that grouping in Ireland would bind together in each group a constituency having no common interest, and which, therefore, instead of adding to, would rather detract from the independence and influence of the borough representation. Therefore we do not conceive it to be our duty to submit to the House any plan for grouping boroughs. That being the case, and there being a great demand for increased representation in the four counties I have referred to, it seems to me that there is only one way in which a result so much to be desired can be obtained, and that is by requesting a certain number of boroughs to make a sacrifice in favour of those large constituencies that I think deserve additional representation. In framing this Bill we have turned our attention altogether to the circumstances of Ireland, and I do not believe there is any force in the argument that in dealing with the representation of Ireland we are bound to follow implicitly either the rule adopted for England or the rule adopted for Scotland. I believe that the plan I have to submit to the House for a re-distribution of seats for Ireland is a plan eminently suited to the circumstances of that country and, considering all things, the best that can be adopted. We propose, then to deal with the question on the principle that in no case, excepting one, shall existing representation be removed from the locality in which it now is, and we shall be able without the removal of representation from its locality to create healthy, good, and influential constituencies. We propose that Downpatrick shall yield its seat to a division of the county of Down, to be called East Down, which shall include the baronies of Ards Lower, Ards Upper, Castlereagh Lower, Dufferin, Lecale Lower, and Lecale Upper. This division will contain a population of 97,659, have a valuation of £286,716, and 4,110 electors. We propose going to another Northern borough. We propose that Dungannon should relinquish its Member in favour of the East division of the county of Tyrone, in which the borough of Dungannon is situated. That will represent a population of 96,827, a rateable valuation of £174,542, and 3,373 electors. The division of the county of Tyrone that will then return one Member will comprise three baronies, namely—those of Lower, Middle, and Upper Dungannon. Then we come to the South, and we propose that the two boroughs of Bandon and Kinsale should relinquish their seats, and that they should be given to the West Riding of the county of Cork. That will create a constituency of 178,296, with a rateable valuation of £296,634, and 6,196 electors. We then propose to go to Tipperary, and that the borough of Cashel shall relinquish its seat in favour of the Northern division of the county of Tipperary, which will have a population of 71,690, a rateable valuation of £188,037, and 2,675 electors. That division will comprise the baronies of Ikerrin, Lower Ormond, Owney, and Arra, and Upper Ormond. That is the way in which we propose to give additional representation to those four counties. We think that proposal just; that the boroughs in the district should relinguish their seats in order to create a large county constituency in the immediate locality. We only propose to make one exception to that rule, and that is in the case of Portarlington. We make it stand by itself, and we propose that it should make a greater sacrifice than the other boroughs. We propose that the seat now enjoyed by Portarlington should be transferred to the City of Dublin with its 260,000 constituents. These are the propositions which will be found in this Bill. I believe they will be found to be propositions most likely to improve the representation of the people of Ireland. We have endeavoured to devise the measure on a plan by which great improvements will be effected with the least possible derangement. There can be no uncertainty as to the effect it will produce. It is perfectly apparent from the statement I have made to the House what the exact number of persons will be to be added to the constituency. That is accurately known. No one can say that any party object is sought to be accomplished, because it so happens, by the merest chance, no doubt, but it is still true, that the six boroughs affected are represented by hon. Gentlemen of whom three sit on one side, and three on the other. As I said before, except in one instance, the representation is not moved from its present locality, and the seats are transferred to large and important constituencies with as little change as possible. Perhaps I may look with a somewhat too favourable eye on this proposal. It varies from the proposals adopted with regard to England and those made with regard to Scotland; but I confidently submit it to the consideration of the House, and feel certain it will bear criticism as well as any scheme ever submitted in regard to Ireland, as well as that adopted in regard to England, or that proposed in regard to Scotland. I beg to move for leave to bring in a Bill to amend the Representation of the People in Ireland.

MR. SPEAKER put the Question in the usual form, and declared "The ayes have it;" whereupon

COLONEL FRENCH, who rose amid cries of "Order, order!" said, he would move that the House do now adjourn, in order to give him the opportunity of saying a few words in regard to the Bill of the noble Lord, although he did not wish to occupy much of the attention of the House. The noble Lord spoke of the addition that would be made to the constituency, but he forgot the disfranchisement which had taken place. The addition to the borough franchise would be only about 9,000 electors; whereas the addition in England and Scotland would be by hundreds of thousands. With regard to the franchise there was no real reduction.

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel French.*)

MR. CHICHESTER FORTESCUE wished to ask two questions—first, he wished the noble Lord to inform the House when it was intended to appoint the Boundary Commission to revise the boundaries of the Irish boroughs. It was of the greatest importance that the Commission should set to work at once. He should like to know when the noble Lord would be prepared to lay the names of the Commission before the House. His second question was this, how the noble Lord proposed to give the additional Member to Dublin ; did he intend to divide the constituency or to give the additional Member as a minority representative ?

The Earl of MAYO : It is proposed to add the third Member to the City of Dublin in the same way as had been done in the larger boroughs in England—by a representation of the minority. In regard to the Boundary Commission we cannot insert the names of the Commissioners in the Bill until its second reading, which it is intended to fix for as early a day as possible. I, of course, shall give due notice of the day. I agree with the right hon. Gentleman that it is desirable this Bill, if it pass at all, should pass through its stages as quickly as possible. It would be a great public advantage to pass it as early as possible this year, in order to afford time and opportunity for the registration under it to be effected. If, however, it should be considered necessary, we should make special provision in regard to the registration, so as to enable the measure to come into full operation with the English Act.

Mr. BRADY expressed his strong objection to the principle of the Bill. He should like to know what would be the feeling of the people of Scotland, if such a measure had been introduced for their country ? Its principles were different from those laid down by the English and Scotch Bills. He could not comprehend why, in the 19th century, the Government should continue to legislate for Ireland in a manner totally different from that in which they legislated for the other portions of the British Empire. It was true that the county franchise for Ireland was to be the same as that for England; but £12 in Ireland was equal to £20 in England. ["Oh!"] He believed that the Bill would not only not satisfy the people of Ireland; but would show them that there was no intention on the part of the Government to do them justice, and that they were sought to be placed in a degraded position. Considering the persecutions which the tenantry of Ireland had to undergo at elections, he believed that they could never be effectually protected in the exercise of the franchise, except by the ballot. ["Oh!"] In one county alone he knew of 1,500 notices to quit having been served on the tenants as a kind of blister to keep them in subjection, and the expenses of those notices had been cast upon the poor people themselves.

Mr. O'BEIRNE said, he was unwilling, at this stage of the Bill, to intrude upon the House by any prolonged discussion ; but as he represented one of the boroughs which the noble Lord stated it to be his intention to disfranchise, they would, no doubt, permit him to express his dissent to the measure just intrusted to them. He was not one of those who would unreasonably object to a just measure of re-distribution of seats, even although it might affect him personally, if he could discover any approach to a principle in the arrangement of such a re-distribution. But in the very meagre and unsatisfactory statement just made by the noble Lord, he could not see any principle whatever, except that of altering the representation for the purpose of increasing the dominant influence of the Conservative party. What was the plan of the noble Lord based upon ? He (Mr. O'Beirne) could not find any answer to the question. The noble Lord seemed to be governed by a standard of valuation ; yet if his (Mr. O'Beirne's) recollection served him, no such standard had been adopted or even alluded to in the English or Scotch Bills. In the case of these measures population was taken as the basis, and yet, in this Bill, boroughs were disfranchised which were greater in population than eleven of the English boroughs which were still entitled, under the English Bill, to send Members to Parliament. This seemed to him (Mr. O'Beirne) to be a singular and most unjust mode of proceeding, and one which he would feel it to be his duty strenuously to oppose. The disfranchisement of small boroughs should not be precipitately resolved upon. In the case of the borough he had the honour—perhaps very inefficiently—to represent, he thought he might remind the House that there was a very exceptional circumstance which entitled it to their consideration when treating this part of the question, and that was that it had special claim to the favourable recollection of the House from the fact that it had sent as its Representative one of the greatest statesmen of the many whose names were enrolled on its records. He meant the late Sir Robert Peel, who first entered Parliament as Member for Cashel. [*Laughter.*] Hon. Gentlemen might laugh at that statement of his; but he would remind them that at a moment such as this, when great changes in the representative system were about to take place, when the character of that House might largely alter, it was well worth remembering whence their greatest statesmen came; and it could not be otherwise than useful, both now and in the future, to bear in mind the distinguished names by which they had been preceded. If anything could surprise him which came from the Treasury Bench, he admitted the outline of the Bill now laid before them would have done so; but as he had little faith in the professions of the present Ministry he was not quite unprepared even for this. The right hon. Gentleman who now held the high office of First Minister of the Crown should not forget the doctrines he recently expressed in Edinburgh. If his position at present is still more exalted and responsible than when he uttered those words, it gave him (Mr. O'Beirne) a much stronger right to claim from him, in dealing with Ireland, the observance of those doctrines. However, the right hon. Gentleman had very lately deliberately repeated them in the public Press, and had declared that he was against any abrogation of existing representation, and why, therefore, should he, in dealing with Ireland, overlook that pledge? It was difficult to him (Mr. O'Beirne) to understand the course contemplated to be adopted, unless, indeed, it was read by the light of those who desired, at any and every risk, and any and every means, to increase the dominant power of the Tory party, and to relinquish boroughs and cut up counties in such a manner as they considered best suited their most unconstitutional and unjustifiable purpose. However, for his part he had only to repeat that he would resist the progress of the Bill so far as he could, unless its objectionable features were altered; and he then gave notice that he would move as an Amendment on the second reading of the Bill, that all that part of it which provided for the disfranchising of boroughs should be omitted, and upon that discussion the noble Lord would have an opportunity of more fully explaining and defending the principles of his measure, if indeed he had any principles to sustain in it.

MR. REARDEN said, the people of Ireland were entitled to an equal number of Members with England in proportion to the population. There were fifty-four Members in Ireland representing a population of 800,000, whilst 5,000,000 of Roman Catholics were represented by only fifty-one Members. That was a monstrous injustice. The people of England had a Member for every 40,000, and Ireland ought to be represented in the same proportion. The whole of the other House was anti-Catholic and anti-Irish. Out of 658 Members of that House, there only fifty-one Members who represented the Catholic feeling of Ireland. He was of opinion that if the people of Ireland did not demand a system of representation similar to that of Australia, which has household suffrage and the ballot, her people would deserve all the misery entailed by the injustice of the English Parment. He gave the noble Lord credit for his good intentions; but disapproved of his Bill, and should certainly move Amendments to it in Committee.

MR. LAWSON said, that the scheme of the noble Lord was to increase the county representation by five, and to take away those five from the boroughs. He also proposed to give three seats instead of two to Dublin. Assuming that these five borough seats should be transferred to the counties, the House would expect that the noble Lord would have given these seats to the counties with the largest population and the most inadequate representation. But that had not been done. There were thirty-two Irish counties, which each returned two Members, and Cork, with a population of 429,000, only returned two Members, while Carlow, with a population of only 49,000, also returned two Members. It was proposed that Carlow should still return two Members; but the noble Lord left out Galway and Mayo, which were both larger than Tyrone, and gave an additional Member to Tyrone. Was there, however, any reason why he should give that seat to a county in which a disfranchised borough was locally situated? The noble Earl gave an additional Member each to Tyrone and Down; but had he applied the principle of the three-cornered constituency to those counties or to Cork? No; he gave a Member to a particular district, and isolated a number of baronies in Tyrone and Down, leaving the rest of these counties to enjoy their two Members. The object clearly was to perpetuate the territorial influence that ruled over the representation of those counties, and to prevent the application of the representation of minorities scheme which the noble Lord had applied to Dublin. There were many other parts of the scheme which, on close examination, would be found to bear the marks of design. [" Oh, oh! "] He would not go minutely into the proposals which had been made for the reduction of the franchise; but simply make the observation that when the Bill came to be read a second time, it would deserve, as he was sure it would receive, the fullest consideration.

Mr. BAGWELL said, that the scheme was far more important than it appeared to be on the first blush. The proposal was to take away the urban representation for the purpose of uniting it with the counties. To give additional Members to Tyrone and Tipperary would be simply to give two additional Members to the Conservative side of the House [" No, no!"]; but if the tenantry of Ireland could freely exercise the franchise, the result would be an addition of at least a dozen Liberal Members. He hoped the Leaders of the Liberal party would not allow this Bill to pass without thorough investigation; and endeavour to prevent the representation of Ireland being entirely in the hands of territorial proprietors.

Mr. GLADSTONE said, he should be glad to know, whether the noble Lord would lay on the table before the second reading any statement explanatory of the speech he had made, and the reasons which had guided the measures of the Government. There were two principles in the Bill worthy of remark — first, the additional Members for Irish counties; and secondly, the disfranchisement or merging of the franchise of certain small boroughs. He was not prepared to object to either of those principles *in limine:* At the same time, if the representation in Ireland was to be taken from the boroughs and given to counties, it was impossible not to take into consideration the state of the franchise, both in the boroughs and the counties. So far as he could learn from the statement of the noble Lord the Government had not discovered the means of making a larger addition to the Irish constituency than that represented by the moderate figure of 9,000. He quite understood the principle on which the Government had acted, and attributed no blame to them or any disposition to depart from that principle. With respect to the question of the county franchise he would not at present express any opinion, but reserve to himself perfect freedom on that point. There were two new principles in the Bill, and there was the general idea which was found in all Reform Bills of the enlargement of the basis of our institutions, with a view to strengthen them, by an addition to the constituency, though the addition proposed was certainly very small, especially when they took into consideration the proposition of the Government of Lord Russell, though it was afterwards receded from, to reduce the county franchise to £8. All that he was anxious to do now was to keep these matters open, and he hoped to discuss them in detail when he saw the plans of the noble Lord in print, together with the statement which he had promised, trusting that they would arrive at some satisfactory conclusion.

Motion, by leave, *withdrawn.*

Bill to amend the Representation of the People in Ireland, *ordered* to be brought in by The Earl of Mayo, Mr. Disraeli, and Mr. Attorney General for Ireland.

Bill *presented*, and read the first time. [Bill 71.]

NAVY—WOODEN SHIPS.

MOTION FOR RETURNS.

Captain MACKINNON moved that there be laid before this House—

" A List of all the wooden Line-of-battle Ships and Frigates, together with amount of their tonnage and horse-power; their original value per ton, and price of engines:

" Statement of the number of such Vessels which have been sold within the last five years, and the price which the Hulls and Engines sold for in the public market:

" Estimate of the number which might be made efficient as Naval Transports, and the number of troops or horses that each Vessel might conveniently carry, with quantity of coals each can stow:

" Return of the strength of the Transport Fleet employed during the last five years, specifying whether Steamers or Sailing Vessels, or Government or Hired Vessels, with full particulars of tonnage, horse-power, and capacity for conveyance of troops, and the number of troops conveyed by them during the above period:

" Table showing the comparative length of the voyages of Sailing and Steam Transports:

" Return of the annual expense of the conveyance of troops:

" Copies of Reports of the Officers in command of the troops as to the general efficiency of the Hired Transports that conveyed them:

" And, of any Reports which have been, or can be obtained, through our Naval Attaché in Paris, as to the number of French Line-of-battle Ships and Frigates which have been converted into Transports, and an estimate of their efficiency in the Mediterranean, and the number of cavalry, infantry, and munitions of war each Line-of-battle Ship may be expected to carry."

The hon. Member explained that the view he had in moving for these Returns was to ascertain whether our wooden fleet could not be made serviceable, at all events for the transport service, instead of the vessels being sold, as they were now, for a mere song. In case of declaration of war, this country would have to advertise for a fleet. We had now 283 transports employed in Abyssinia, and what they would cost no one could tell. We ought to turn into transports our old wooden ships that were now rotting away—being sold at £2 16*s.* a ton, which was a great sacrifice.

MR. CORRY explained that the question had been under the consideration of various Boards of Admiralty, and they thought the adoption of the plan would not lead to a good result. The estimated cost of fitting these ships as transports would be £22,000 each, and that would hardly be a wise appropriation of the public money. They could stow so small a quantity of coal that it would be necessary to provide them with masts and yards and canvas, to enable them to make long passages under sail, and they would thus require a complement of 400 men to handle them. This would leave very little accommodation available for troops, and the ships would be deficient in the speed necessary to the performance of quick passages. If such vessels had been employed in the Abyssinian expedition, it was hard to say when they would have arrived at their destination. It was true that the French had converted some of their line-of-battle ships into transports, but their transport service was of a very different character from ours. It was one thing to send troops from Toulon and Marseilles to Civita Vecchia and Algiers, and another to send them on long voyages in stormy seas, across the Atlantic, round the Cape, and to the most distant parts of the world. The preparation of the Returns would cause great labour to the Department, and interfere with the current work of the office most materially. At present the Controller's office could scarcely discharge the calls upon it. The ships sold were useless, and required a staff of officers and men to take care of them; and it was a good bargain to get rid of them, at almost any price. He hoped the hon. Member would not press his Motion.

MR. CHILDERS appealed to his hon. Friend to withdraw the Motion.

Motion, by leave, *withdrawn.*

PETIT JURIES (IRELAND) BILL.

On Motion of Mr. ATTORNEY GENERAL for IRELAND, Bill to consolidate and amend the Law relating to Petit Juries in Ireland, *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND and The Earl of MAYO.

Bill *presented,* and read the first time. [Bill 70.]

EXTRADITION.

Select Committee *appointed,* "to inquire into the state of our Treaty relations with Foreign Governments regarding Extradition, with a view to the adoption of a more permanent and uniform policy on the subject."—(*Mr. M'Cullagh Torrens.*)

And, on March 27, Committee *nominated* as follows:—Mr. M'CULLAGH TORRENS, Mr. BOUVERIE, Mr. WALPOLE, Mr. WILLIAM EDWARD FORSTER, Mr. SOLICITOR GENERAL, Sir FRANCIS GOLDSMID, Mr. GORST, Mr. MILL, Mr. PERCY WYNDHAM, Mr. LAYARD, Mr. EDWARD EGERTON, Mr. NEATE, Mr. THOMAS BARING, Sir ROBERT COLLIER, Mr. GRAVES, Mr. BAXTER, and Mr. SCHREIBER:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter before Twelve o'clock.

HOUSE OF LORDS,

Friday, March 20, 1868.

MINUTES.]—PUBLIC BILLS—*First Reading*—Sea Fisheries* (46); Fairs (Ireland)* (47).
Second Reading—Regulation of Railways (34).

PROXIES.—QUESTION.

EARL STANHOPE said, it would be in the recollection of their Lordships that a Committee sat last Session on Public Business, and that one of its recommendations was that the use of Proxies in Divisions should be discontinued, and that a Standing Order should be made against their use. He wished to be informed by the Lord Privy Seal, What course the Government intended to take for the purpose of giving effect to that recommendation?

THE EARL OF MALMESBURY said, he intended to call the attention of their Lordships on an early day to the recommendations contained in the Report of that Committee, and to bring forward certain proposals founded thereon, embodying those recommendations. He should, perhaps, be able to fulfil that intention in the course of next week.

REGULATION OF RAILWAYS BILL.—[H.L.]

(*The Duke of Richmond.*)

(NO. 34.) SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF RICHMOND, in moving the second reading of this Bill, said, that our railway system had attained such vast proportions that all legislation connected with it must be cautious, practical, and well-considered. But, in dealing with the subject, it was as necessary to look at the interests of the public, on whose behalf the railways have been constructed, as it was necessary not to neglect the interests of the shareholders who had expended their money in those great undertakings. It was advisable, he thought, at the same time, not to enter too much, in the shape of legislation, into the details of the management of the different lines; but to leave those details, in a great measure, to the discretion of the managers and boards of the respective companies. He believed that, as a general rule, the railway managers of this country were a body of men of the highest intelligence, of great energy, and thoroughly acquainted with the business which they directed. As a proof of the great magnitude of the subject, he would mention that, in the year 1866, the authorized capital of railway companies in the United Kingdom was £620,564,406; but of that sum there had been paid up £481,872,184, leaving a balance of authorized capital not paid up to the amount of £138,692,222. The length of the railways constructed was 13,854 miles, and the gross revenue derived from them during that year was £38,164,354. In fact, the sum invested in railway enterprize throughout the country amounted to rather more than half the National Debt. The Board of Trade Returns from which he had taken those figures were not brought down to as late a date as he could wish; but he trusted that, by the arrangements he then proposed to make, that inconvenience would soon be remedied. It was scarcely necessary for him to remind their Lordships that during the past year all railway property had become greatly depreciated, and that a feeling had, at the same time, sprung up throughout the country that some reform was necessary in the management of the different lines. It was true that, in many instances, the unwise policy which had been adopted by the Directors had been sanctioned by the shareholders, who were satisfied with obtaining their dividend, while they did not take upon themselves the trouble of inquiring how that dividend had been obtained, or how the accounts had been kept, or new schemes proposed had been devised. The fact was that, in many instances, the accounts were so badly kept that what ought to have been charged to capital was charged to revenue, and what ought to have been charged to revenue was charged to capital; and, under these circumstances, it was no wonder that railway property had been placed in the very unsatisfactory position in which they found it last year. He was by no means in favour of a policy by which Parliament would lay down stringent rules with respect to all the details of accounts and the management of the various companies; but he believed it was absolutely necessary, for the good working of the system and the well-being of the companies, that the fullest and most accurate information should be supplied to all persons interested in each line, that they should be made acquainted with the various schemes proposed by the managers, and that they should know precisely how their money was expended. He thought the fact that not less than £138,000,000 of the authorized railway capital of the country was not yet paid up afforded a sufficient justification for the interference of the Legislature, with a view to enable shareholders and Directors to see the position in which they were placed. He believed that sufficient time had elapsed since the panic of last year to afford Parliament the means of legislating upon the subject without acting in the hasty and ill-considered manner which might have been inevitable if they had dealt with it during the last Session. They had also the advantage of having been able thoroughly to consider the Report of the Commission which had inquired into the railway system, over which the Duke of Devonshire had presided, and some of whose recommendations he had embodied in the present Bill. He would proceed to state what were the principal objects for which the measure had been framed. It might be divided into six parts. The first of these parts related to accounts and audit; the second to the liabilities of railway companies in certain cases as general carriers; the third provided for the safety of passengers by giving them means of communicating with guards and engine-drivers; the fourth dealt with a subject of great importance—one in which great interest was taken by the public and by the companies,—namely, compensation for railway accidents; the fifth laid down rules with respect to the appointment of arbitrators by the Board of Trade; and the sixth referred to various miscellaneous matters, to which he need not then more particularly allude. In the first part of the measure he had endeavoured to provide for the establishment of a uniform mode of keeping accounts by all railway companies, and for that purpose he proposed to insert, in a Schedule at the end of the Bill, a form of accounts which it would be compulsory upon all companies to adopt. He had not, however, as yet, decided what the precise form should be, and he was in communication upon the subject with some most eminent accountants, who were specially connected with railway matters, in order that he might obtain, if possible, a system which would be approved by railway auditors, and which would at the same time secure the object which he had in view. He wished to establish such a form of accounts that any person looking at them could see at a glance what was the exact financial position of each company. At present one company had one form of account; a second another, and a third a form different from them both, so that it was impossible to compare the accounts of the various companies, as it was desirable to do, and as he hoped they would be enabled to do. There was another point to which he attached great importance. In the 3rd clause of the Bill it was provided that there should be printed and issued every six months a statement of the estimated capital expenditure of each company during the following half-year. That system had been adopted for some time, and with great success, by the London and North Western Railway Company, and he perceived that at the half-yearly meeting of the London and South Western Railway, held last February, a resolution was moved to the effect that the Directors should submit to each half-yearly meeting an estimate of the sums to be expended out of capital during the ensuing six months, and the proposal, having been seconded by Lord Bury, was carried by a large majority. He (the Duke of Richmond) believed that such a measure was perfectly practicable, and that it would afford very useful information to the shareholders. Then the 4th clause required that the accounts should be printed and distributed, not only to the shareholders, but to the debenture-holders, who had no voice in the management of the property; but who ought, he thought, to be furnished with correct information with respect to the position in which the company was placed. The next portion of the Bill commenced with the 6th clause, which would enable the Board of Trade, on the application of a certain proportion of the holders of shares of various kinds, to order an inspection of the affairs of the company. That application would be granted, if the discontented shareholders should satisfy the Board of Trade that it was not one of a frivolous character, but that they were unable to obtain information which they had a right to demand. The Board of Trade would then appoint an Inspector who would report, not to the Board of Trade itself, but to the shareholders, the state of the company. In all these proceedings there was one point that should be guarded against—namely, the Government taking upon themselves the responsibility of the management of the different companies. He believed that the report should be made by the Inspector to the shareholders and not to the Government; because it was clear to his mind that no Department of Government could be held responsible for the vast extent of the railway affairs of the United Kingdom. Those clauses of the Bill which related to inspection established no new principle, because the system was introduced into the Companies Act of 1862, where it was limited to joint-stock companies; and he proposed by this Bill to extend it to railway companies. With regard to the appointment of the auditors of a company, he had provided that in the event of a requisition to the Board of Trade, under certain circumstances, that Department should have power to appoint one auditor, not necessarily a shareholder of the company, because it was desirable in some cases that the auditors should be independent, and entirely unconnected in any way with the company. The next point referred to the liability of railway companies as carriers. When a person shipped goods at Holyhead and sent them to Dublin, the shipowner was merely liable for a limited amount of risk described in the bill of lading, which was made out at the time the goods were received on board the ship; but from the increased facilities of railway communication, and the great increase in the production of manufactured goods, the

North Western Railway, among others, were carriers by sea as well as by rail, and it was found impracticable to have anything in the shape of a bill of lading for those transactions. It might so happen, therefore, that when a person sent goods from London, *viâ* Holyhead, to Dublin, the railway company would not only be liable for damage sustained during the transit by rail, but also for the full amount of damage which might take place through any accident upon the high seas. This state of things required alteration, and he had therefore inserted a clause in the Bill which he believed would meet the difficulty. He had received several deputations from Chambers of Commerce in different parts of the country, who urged that silk ought to be exempted from the operation of the Carriers' Act, and treated in the same way as cotton and lace, the company being rendered liable for any damage done in the transit of such goods. The subject was a very difficult one, and he had heard strong cases made out on both sides: the people dealing in silks having some grounds for their views, while the railway companies also had grounds for their objections. That, however was a point which could not be argued now, and he would be prepared to deal with it when the Bill got into Committee. The next point was one of great importance, relating to small parcels. At present all parcels of less than 500 lbs. weight were called small parcels, and some years ago the manufacturer dealing in small parcels was charged a very high rate for them, all parcels weighing upwards of 500 lb. being charged by weight. An alteration was, however, made, and the manufacturer was permitted to take his goods out of the category of small parcels, provided he sent them to one other person, and the goods he sent were of the sort in which he dealt. But that privilege had been abused, and it had been found that persons collected small parcels at one terminus and sent them directed to some person at the other end, claiming to have them carried at the lower rate, and not as small parcels. They were, in fact, goods of all descriptions, collected by a carrier, who got all the money he could for delivering them at the other end to the persons to whom they were addressed. The mode in which he proposed to meet this grievance on the part of the companies was, that when goods of the same description were sent to one person, a *bonâ fide* consignee, they should not be charged as small parcels. The companies were great losers by the present system, and this provision would enable them in the future to deal more liberally with the public, and the public would gain in the end by the present system being put a stop to. He now came to an important point to which their Lordships' attention had been called last year, when a noble Lord opposite had charge of a Bill, the object of which was to regulate the communication between guards and drivers. At that time he (the Duke of Richmond) did not think they had had sufficient trial of the system to warrant them in passing such a measure; but he undertook on the part of the Government to look into the matter during the Recess, and, if possible, to frame some measure which would meet the views which were then entertained. In fulfilment of that promise, he had requested one of the Inspectors of the Board of Trade to carry out, with the consent of the railway companies, certain experiments upon their trains. During the close of last year, and the commencement of the present, experiments were made on the London and North Western, the London and South Western, the Midland, and the South Eastern Railways; and he would call their Lordships' attention to the last part of Colonel Yolland's Report upon them, in which, after giving the details of the various experiments which had been made, he said—

> "The prominent question for decision appears to me to be, 'Shall railway companies be compelled by legislative enactment to provide means of communication between passengers and the servants of companies in charge of the train?' This decision must properly depend on the answers to the two following questions:—First, is such communication necessary in order to provide for the public safety? and secondly, is it practicable? With regard to the necessity for such means of communication, I believe there are few who would contend that it is not necessary in the very long journeys taken by express trains without stopping, and I have already expressed my opinion, founded on actual experience of what has been accomplished, that it is quite practicable."

Colonel Yolland also pointed out that it was necessary that the electric or any other system of communication that might be adopted, must be very carefully looked after, and used at all times for starting the trains from the stations, as it would not do to use it only when an emergency arose. He (the Duke of Richmond) thought that some such means of communication ought to be adopted in trains; but it was a very remarkable fact that, notwithstanding the enormous number of persons who travelled by rail, few fatal accidents occurred through railway travelling in the course of one year. In 1866 there were 274,293,668 passengers by rail in this country, and of that number only fifteen were killed, averaging one in about 18,000,000; so that, in fact, it was far more dangerous, as a reference to the Registrar General's Report would show, to walk about the streets of London, than to travel by railway. Another point in the Bill was one which would be a great advantage to shareholders in the saving of expense in their proceedings before Parliament. The Bill provided that railway companies should have what was commonly called a "Wharncliffe" meeting before the second reading of a Bill in the first House of Parliament to which it should be introduced, and the shareholders would thus have an opportunity of expressing their opinions on the advisability of proceeding further with the measure. In the event of the decision of the majority of the shareholders being against the Directors, a vast amount of money, which was now spent in Parliamentary contests, would be saved to the company. He was aware that the Bill which he now asked their Lordships to read a second time was not so comprehensive a measure as might have been desired by many people; but he could assure the House that it was by no means an easy task to bring in a comprehensive measure on the subject of railway regulations. As the Bill first stood in the draft, it was a much larger measure than it was now; but upon going into the details of the various clauses, with the object of seeing how they would work, he found that a great many matters, though admirable in theory, were thoroughly impracticable, and he therefore thought it better to bring in a small and practical measure, rather than to introduce a much larger Bill, which would not work properly when it was passed.

Moved, "That the Bill be now read 2ᵃ."—(*The Duke of Richmond.*)

LORD REDESDALE said, he thought the Bill contained a great many excellent provisions, and would be generally useful. At the same time, without the Schedule to which the noble Duke (the Duke of Richmond) referred, it would be very difficult to form any opinion as to the accounts which might be produced. It was exceedingly desirable to have one form of accounts; for all accounts were very difficult to be understood by persons not well acquainted with such matters. How could the position of railway companies be estimated, when one company produced their accounts in one form and another in another? It was extremely necessary to have some provision in the Bill that no securities of any sort given by the Directors for a company should be legal unless registered, and the accounts should show clearly every security that was issued. There were a great number of railways which had nominal power to borrow to a certain amount; but which had borrowed five, six, or seven times that amount upon what were called Lloyd's bonds, and neither the shareholders nor the public were at all aware of the liabilities to which the companies were subject. Registration would give greater security, and all the liabilities to which a company was subject should be noted in the accounts. It was necessary also that the floating debt of the company—that is, any debt upon which interest was paid—should appear in the accounts. It was found from the reports of the Great Western Railway Company that they had, a short time ago, a floating debt of £1,000,000 upon which, in times of financial pressure, they had to pay a large amount of interest, in order to secure the necessary accommodation. The audit proposed would be most beneficial; but one provision in the Bill was rather contrary to the principles generally applicable in such cases. It was, that if any statement of account, balance-sheet, or report turned out to be false, the auditor, or other officer of the company who signed the same, should be liable to a penalty, unless he satisfied the Court who tried the same that he was ignorant of the false statement. Now, this provision was at variance with the general principle of law, that the onus of proof did not lie with a prisoner or defendant, and the clause ought not to be adopted without some consideration. Another provision was, that when an auditor was appointed to investigate the matter and to make a report, the shareholders might appoint another auditor; and if there were any difference of opinion between the two, either auditor might issue to the shareholders, at the cost of the company, the grounds on which he differed from his colleagues, and such a statement respecting the financial condition and prospects of the company as he thought material for the information of the shareholders. It was desirable that this clause, instead of being permissive, should be imperative, so that the matter might be brought fairly before the shareholders. With regard to provisions for the safety of passengers, he thought that, after the Report to the Board of Trade upon the subject of communication between railway passengers and guards, such a communication ought to be insisted on. But there was some reason in what had been urged to him—namely, that the Board of Trade should specify the manner in which the communication should be made; that it should not be left to each railway company to adopt a system of its own; otherwise, a change of carriages would be necessary in all cases where two railway systems were connected. Besides the questions treated in the Bill, some other matters required legislation. For instance, great complaint was now made, especially on the Metropolitan Railway, of the extraordinary way in which the passengers were crowded in the carriages. At times the carriages were more like pens for cattle than for passengers. When the doors were opened people crowded in in any number; the officers of the company did nothing to prevent them; and inconvenience and sometimes injury arose in consequence. He did not see why railway carriages, like other public conveyances, should not be licensed to carry a certain number of passengers. At all events, some arrangements should be made to avoid undue crowding, and also to provide a better description of carriage than was now often furnished in all three classes. With regard to the management of railway companies, the provision that the Bill should be submitted to a Wharncliffe meeting, before the application to the Board of Trade or the second reading, might in some cases be a very useful one; but there were other matters connected with those meetings which required consideration, and which possessed an importance that had not as yet been commonly attached to them. There were no provisions whatever for regulating the voting at such meetings, and the consequence was that the way in which the votes were taken gave rise sometimes to great discontent and to the impression that fair decisions were not come to. It was desirable that some formal rule should be laid down on the subject. He had come to the conclusion that it would be extremely desirable to get rid altogether of proxies in railway companies. He believed that the proprietors would be far more truly represented by the small number of those really interested in the affairs of the company, who would attend the meetings than by the proxy system, which put everything into the hands of the Directors, unless their management had become so gross that public opinion had been excited against them in a very unusual manner. At the same time this was a matter which required great consideration, and he merely stated his opinion, leaving the point to be duly weighed and canvassed by the public. Nothing was more unsatisfactory than the powers of railway proprietors at this moment. They really had no power whatever over the management of the line, and he was sorry to say that, judging from the Bills which came before him, there was a great desire on the part of some Boards to make them still more close, and prevent the interference of the proprietors still more completely than they were before. He admitted that on all these points it was not desirable to legislate unless Parliament felt that it was on certain ground; but he hoped that next year, if the noble Duke (the Duke of Richmond) held the same office, he would be able to propose some further regulations for the security of railway shareholders and of the public.

Earl GREY said, he was far from regarding this Bill as accomplishing all that could be desired in this direction. But he did not dispute the discretion of the noble Duke (the Duke of Richmond) in bringing forward, in the first instance, a moderate measure, and he thought that their Lordships were deeply indebted to him for the pains he had taken in framing a Bill which, as far as it went, would, no doubt, be very useful. The railway system of this country was now a subject of the highest national importance; not only because the facilities for communication afforded by railways were necessary for the public welfare, but also because so many persons were interested in railway property that the general prosperity of railway companies was a matter of national concern. The depreciation of railway property that had taken place in the last two or three years had involved such an amount of private suffering and general injury that it was inevitable the question should attract attention. The Bill did not go so far as it might ultimately be necessary to go; but it was based upon the sound principle of at once protecting railway property, and enforcing upon railway companies the discharge of the duties imposed upon them by law, and of which the proper performance was necessary for the safety and advantage of the public. Some of the matters provided for by the Bill certainly required immediate attention, especially the more efficient audit of railway accounts. Some of their Lordships might remember that many years ago the Government of the day endeavoured to pass a Bill to provide for a better system of audit; but at that time the railway interest in the other House of Parliament was too powerful to allow this measure to pass. Now, however, shareholders had reason to regret that some measure of the kind was not adopted, so as to have saved innocent persons from the ruin in which, in too many instances, they had been involved by the reckless conduct of those entrusted with the management of railways. This Bill would do much towards securing an honest system of railway management in future. He hoped Her Majesty's Government would consider whether those who had been guilty of great abuses that had been brought to light ought not to be held responsible. It appeared to him that the transactions that were exposed day by day in the papers—whether in the technical language of the law they were frauds or not—were in their character fraudulent in the highest degree, and the persons who had suffered by them had been cheated of sums of money, sometimes of great magnitude. Before these windings-up and arrangements were completed he hoped Her Majesty's Government would cause their Law Officers seriously to consider, whether persons who had been guilty of offences of which the law could take cognizance should be allowed to escape punishment, because it was not the interest of individual shareholders and sufferers to prosecute in cases of this character. In such cases it was the special duty of Government, for the protection of the public interest and in the cause of morality, not to allow offenders to escape; but, if there were grounds for prosecutions, to cause them to be instituted by the Law Officers of the Crown. Without further discussing the principle and details of the Bill, he would say that it might have gone further in the way of providing means to enforce obedience to the law. It was notorious that many railway regulations were habitually ignored, and the authorities set at defiance. One matter seriously affecting the comfort of travellers, and the health and safety of those living by the side of railways, was that locomotives did not consume their own smoke, and that coal was burned upon them in such a manner that property by the side of railways was exposed to the danger of ignition by flying sparks. Fires were, therefore, continually taking place by the side of railways, and it was only a few days ago that cases of this kind were brought under his notice. It was certain that great risk of destructive fires was incurred in this way. Another source of risk and danger was that level crossings were insufficiently protected. He knew an instance of a level crossing which, for many years, had been left without anyone in charge of it after a certain hour of the night, and the gate was often left open, and extreme hazard thereby incurred. He could not but believe that some simple provision, requiring the police to take legal proceedings where infractions of the law were brought under their notice, would do a great deal to prevent their recurrence. The intervention of the police in the matter of the smoke nuisance in this town had tended greatly to abate it, and why should not police intervention be applied to railways? Parliament was greatly to blame for the state of things which had now arisen in the railway world. The conduct of Parliament during the last thirty years had been greatly wanting in foresight and judgment, and had led in great measure to the results deplored. Many existing evils were due to the fact that railways were very often distressed for want of money. Shareholders were not receiving the dividends they expected to get when they invested their money, and pecuniary embarrassment no doubt often tempted railway managers to neglect provisions that were required for the public safety. The low average dividends of railways, notwithstanding the high fares, were mainly due to Parliament, and the want of a proper tribunal for considering applications for railway Bills. He had held this opinion many years, and had more than once urged it upon the House; and, until railway schemes were subjected to a more searching, impartial, and judicious investigation, we should never have a thorough reform in railway schemes. We knew by experience that a railway was necessarily a monopoly, and that competition was practically impossible. The natural consequence was that, when a given district of country was provided with more railways than it required, the different undertakings combined, and their extra expenses restricted the amount of accommodation which at a given cost they could afford to the public. It was quite clear that under the system of a Parliamentary tribunal for considering Railway Bills, a system had grown up which pressed most severely upon the public. Engineers and speculators had promoted companies for no other object than that of getting themselves bought out. Schemes had been brought forward merely for the purpose of annoying railway companies, and hence their legal expenses were frightful in amount. Of course, in some way, this useless expenditure fell upon the public. The system by which railway schemes were now considered looked as if it had been carefully contrived in order to stimulate the gambling propensities of mankind, and to bring railways before Parliament in as expensive and as imperfect a manner as possible. A railway scheme was submitted to a Committee, first of one House and then of the other, and after a decision had been obtained at great expense, if the scheme were rejected it might be brought forward in the following year, and laid before new Committees, who, entertaining different views and adopting different principles, might reverse the decision previously come to. There was no consistency in the decisions pronounced by Committees, and there was no uniform principles or rules for their guidance. In order that the public interests might be duly served, it was necessary that the policy pursued in reference to this matter should be steady and consistent. It would, in his opinion, be impossible to perform in a proper manner the duty of granting powers for constructing railways until a strongly-constituted tribunal was established, the sittings of which should not be confined to a few weeks, but should extend over the period during which the Courts of Law usually sat. The members of such a tribunal ought, of course, to be well paid, and in every respect equal to their duties; and Parliament could then look to them for advice as to some consistent principle in regard to the schemes submitted for consideration. He did not, however, for a moment propose that the ultimate decision should be withdrawn from Parliament; but that the first consideration of the various schemes should be submitted to a Court such as he had suggested. It had been asserted that a scheme of this kind had been already tried and had failed. He was aware that in the year 1845 the Board of Trade was called upon to report to Parliament on the Bills which ought to be passed, and that those Reports turned out to be of no practical use or advantage whatever. Indeed, he had himself taken a somewhat active part in the other House of Parliament in breaking down the authority of those Reports, and under such circumstances he should certainly do the same thing again, for the Reports in question were made in a manner which deprived them of all proper authority. The real nature of the business to be transacted was not at that time perfectly understood by anybody, and the Board of Trade was called upon, without making a public examination, but merely acting on the faith of *ex parte* statements delived in private, to draw up Reports for the guidance of Parliament. Now, it was obviously impossible that Reports so drawn up should give general satisfaction, but he could not admit that if a similar plan were adopted and carried out in a fitting manner before a better constituted tribunal it would also prove a failure. If means were taken to establish a proper tribunal, which should openly and publicly hear all applications for the construction of railways, and prepare Reports for the consideration of Parliament as to whether particular schemes deserved to be adopted or not, and on what conditions the powers asked for should be granted, he was persuaded that great advantages would be gained, and that Parliament would be enabled to discharge its duties in reference to this subject in a much more effectual and satisfactory manner than it had done hitherto. In conclusion, the noble Earl said that though this question did not immediately arise out of the Bill under discussion, it was nevertheless so closely connected with it, that he had deemed it right to take this opportunity of addressing these remarks to their Lordships.

THE MARQUESS OF CLANRICARDE said, he thought the Bill would effect some good, but not all the good that was expected by the noble Duke. In his opinion, the question of railways ought never to have been intrusted to the Board of Trade at all; for it was one of such magnitude and importance to the country that it ought to have been dealt with by a special tribunal, as was done in every country on the Continent. The noble Duke surely could not believe that the present measure would really prevent such financial calamities as had lately occurred, or that it would effectually diminish the number of lives lost by railway accidents. This Bill was not a Bill for the regulation of railways, except in a very slight degree, and ought rather to have been called a Railway Companies' Bill, for the consideration of their affairs and accounts. One of its clauses contained a provision for laying before the shareholders an estimate of the expenditure out of capital. That might, perhaps, have produced a beneficial effect if it had been enacted ten or twelve years ago; but, in reality, the reckless expenditure on capital which had taken place in various companies had never been condemned by the shareholders at subsequent meetings, and, so far as he was aware, there was not a single instance of shareholders having withdrawn their confidence from the Directors, in consequence of the reckless expenditure which had been incurred. Then there was a provision for a public audit, but it should be remembered that the duties of an auditor is confined to ascertaining that the various sums of money had been paid out faithfully and honestly by the treasurer in the manner stated in the accounts. An auditor could not inquire whether the expenditure had been extravagant or not, and though it might be right to congratulate ourselves on the comparatively small number of lives lost on railways, it was certainly a matter of astonishment to all railway travellers that more fatal accidents did not occur. In his opinion there was no reason why the Board of Trade should not be invested with those powers which the Duke of Wellington proposed to confer upon it twenty-eight years ago. He was borne out in his statements by the officers of the noble Duke's own Department. In a Report made on the 4th of January, 1866, by Colonel Yolland, in reference to two successive collisions which had occurred on the 4th of December, 1865, a short distance south of Sudbury station on the London and North Western Railway, there was this statement—

> "It is true that the practice of the Department is to send one of the inspecting officers to inquire into and report upon the circumstances attending accidents, as in this and the former collision at Walton Junction, and such inquiries are submitted to by the railway companies; but their Lordships are not empowered to make an order for anything to be done. No responsibility appears to attach to any person for the complete neglect exhibited towards Captain Tyler's recommendations; and the unfortunate signalman of thirty years' service, who was, I have no doubt, as he thought, doing his duty properly, is the only person to whom any liability attaches; whereas the expenditure of a small sum would have prevented him from inadvertently committing the act for which he will shortly be tried for manslaughter, and have saved the railway company a very large sum of money that must now be paid as compensation for those who suffered. The utility of their Lordships continuing to maintain the present system of making these unauthorized inquiries into the circumstances connected with the accidents which occur on railways may therefore be fairly questioned."

He concurred with Colonel Yolland in what he said as to the utility or inutility of the present system of inquiry; and he thought that great responsibility attached to the Department for not coming forward to demand such additional powers as would enable it to compel any railway company to make such improvements in their line as in the opinion of the officers of the Board were necessary for the prevention of accidents in future. He admitted that in other days there might have been an indisposition on the part of Parliament to grant such powers, but he thought that they would be granted now. When the Duke of Wellington twenty-eight years ago made the suggestion to which he had referred, the reply of the Government was that the railway companies and their interest were so strong that the Government could not obtain power to control them. The noble Duke (the Duke of Richmond) had not mentioned the number of passengers injured in the year 1866. It was 534. Besides to the enumeration of the passengers killed or injured was to be added that of the servants of the companies. Now, he found that the number of servants of companies killed in 1866 from causes not within their own control was seventeen, and that the same class injured from similar causes was seventy, so that the total number of the killed was twenty-eight, and that of the injured 604. Once a railway was opened under certificate from the Board of Trade, the Department had no further power over it in the way of compelling the company to make additional provision for the safety of the public, though the company might add sidings and even small branch railways. These were free from inspection if they were not intended for passenger traffic. As showing how necessary it was that the Board of Trade should have the power of enforcing conditions after a line was opened, he might mention that in a difference about terms of an arrangement between the Great Western and the South Wales Companies the former threatened to put in force certain provisions of their Act to compel the South Wales Company to substitute stone bridges for certain wooden ones. The smaller and weaker company were obliged to yield, and the Great Western Company got possession of the line. From that day to this they had worked it with the old bridges. Then, as to the Carriers' Act, to which a clause in this Bill related, it had been ruled that, in an action brought against a railway company, a question to be decided was, what conditions were reasonable. On this point there had been such a difference among the Judges that a case had been brought to the House of Lords. This was not a satisfactory state of things; why should not the Inspectors of the Board of Trade have similar powers in respect of railway companies to those possessed by the Inspectors of Factories, Mines, and Emigration Ships, in respect of the proprietors with whom they had to deal?

Lord STANLEY of ALDERLEY thought that the noble Earl who spoke from the cross-Benches (Earl Grey) had raised the whole question of the mode of procedure in that House with respect to private legislation, and the mode of transacting their Private Business. After some remarks on Lord Redesdale's recent letters to *The Times* on railway management, he said, he thought the Government had exercised a wise discretion in not attempting too much, or making their Bill too comprehensive in the first instance. He approved of its provisions generally, but there were one or two points on which he should in Committee desire further explanations.

Lord WESTBURY said, that it was very little use laying down rules with regard to the keeping or presentation of accounts, and permitting that which was to a great degree the source of the uncertainty, confusion, and deception which were practised in the accounts as they now stood. He alluded especially to the practice which prevailed in railway companies of keeping their capital account open. Then they shuffled the charges, sometimes entering them to the capital account and sometimes to the revenue account; so that it was impossible to ascertain what was their actual expenditure, and still more impossible to say whether that expenditure was justified or not. He believed there was much truth in these allegations, because he found that, in the half-yearly accounts of almost every railway, there was an item of proposed expenditure for the ensuing half-year, which was charged to capital. The capital account would never be closed in that way. If the capital account was to be kept open at all, it ought to be done by some rule apportioning the expenditure that was to be paid out of capital, and the portion to be paid out of revenue. No doubt there would then be some items of expenditure that would be due partly to capital and partly to revenue. But he would prefer that the capital account should be closed altogether. It was impossible to form a decided opinion of the Bill, favourably as he was disposed to regard it, until they saw the form of accounts which was to fill up the first Schedule. He hoped the noble Duke would provide that the accounts should not be limited to the ordinary payments and receipts; and that, on the other hand, they should not be so extensive that the eye could hardly follow and the mind would be incapable of comprehending them. It was particularly necessary that they should show clearly what was the amount of expenditure incurred in the year or the antecedent year that had not been paid, and should exhibit every description of security, whether debentures or not, that had been issued. He should be glad if those nondescript securities called "Lloyd's bonds" could be struck at in some way. They might or might not be within the strict limit of legality, but they certainly had a tendency to be made a most fruitful means of deception, and of concealment of the real position of the affairs of a company. He should be most happy to render the noble Duke any assistance that he could to perfect this measure and to render it a piece of useful legislation.

Lord REDESDALE, in answer to the observations of the noble Lord (Lord Stanley of Alderley) said, he should rejoice if the private legislation of that House, and the affairs of the railway companies in particular, could be brought before their Lordships in such a manner as would enable the public out of doors to understand from their discussions the true state of affairs. It had been said with regard to his letter to the newspapers on the affairs of the Great Western Railway that he ought not to have prejudged the question. But he was in some measure obliged to do so, because it was his duty to send his observations to the railway companies upon the Bills that came before him, and they were, therefore, perfectly aware of his opinion. He had not such perfect confidence in his own opinion as to suppose that he could not learn anything in return, and he had derived great advantage from the representations thus made to him. But he thought it of great importance to the persons who had a pecuniary interest in the matter that they should be informed of the real bearings of the question, and he must say that not the slightest answer had been given to any single word of his letter. He believed that the statements he made were unanswerable, and although the railway company still persisted in pursuing a similar course, he trusted that great good had been done by the publication of his letter. Whatever he sent to the newspapers he put his name to, and, as his object was the public good, he conceived that he was justified in the course he had adopted. Some persons entertained a notion that as Chairman of Committees he could carry out the law in all cases; but there were so many ways in which wrong could be done, that the only way in which he could exercise any check was by appealing to public opinion.

LORD STANLEY OF ALDERLEY briefly disclaimed any intention of condemning Lord Redesdale's judgment in writing the letters in question.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 20, 1868.

MINUTES.]—SELECT COMMITTEE—On Poor Rates Assessment, &c., Mr. Howes *discharged*, Mr. Paull *added;* on Admiralty Monies and Accounts, Sir Michael Hicks-Beach *discharged*, Mr. Frederick Stanley *added;* on Grand Jury Presentments (Ireland) *nominated.*

SUPPLY—*considered in Committee*—ARMY ESTIMATES.

Resolutions [March 19] *reported.*

PUBLIC BILLS—*Ordered*—Marine Mutiny.*

First Reading—Inclosure* [73]; Marine Mutiny.*

Second Reading—Court of Appeal Chancery (Despatch of Business) Amendment * [68].

Referred to Select Committee—Public Schools (*re-comm.*) [47].

Committee—(£362,398 19*s.* 9*d.*) Consolidated Fund*; Public Schools (*re-comm.*) [47], *negatived;* Compulsory Church Rates Abolition (*re-comm.*) * [59].

Report—(£362,398 19*s.* 9*d.*) Consolidated Fund*; Compulsory Church Rates Abolition (*re-comm.*)* [59].

Considered as amended— Compulsory Church Rates Abolition (*re-comm.*) [59-72].

THE IRISH CHURCH.

NOTICE.

MR. GLADSTONE: Sir, It is my intention to submit to the House a Motion on the subject of the Irish Church. I have been very desirous, in the first place, to consider carefully the terms of a Motion on a subject of so much importance; and, secondly, to consult the convenience of the House with regard to the time of bringing it on. I was also anxious to consult the wishes of Her Majesty's Government. I purpose now to give a general Notice, and to lay on the table on Monday the precise terms of the Motion, and I will, either on that day, or on the following day, as may be more convenient, inquire of the Government whether they can, consistently with the exigencies of the public service, render me any assistance in fixing a day for bringing it on. If they can I shall thankfully accept it, and take the earliest day they may be disposed or able to give; and if they cannot I shall make the best arrangements I can to secure the earliest occasion that may be at my disposal as an independent Member of Parliament.

EXEMPTION OF SMALL PAMPHLETS FROM SECURITY.—QUESTION.

MR. CRAUFURD said, he wished to ask Mr. Attorney General, Whether the Law Officers of the Crown have ever sanctioned the exemption of small Pamphlets from the securities required by the Act 60 *Geo.* III., c. 9, s. 8; and, whether he can explain the rules by which the Board of Inland Revenue, as advised by the Law Officers, decide whether any Publication shall be subjected to the securities required from Newspapers, Pamphlets, and other Papers by the Act 60 *Geo.* III., c. 9, s. 8?

THE ATTORNEY GENERAL said, that the present Law Officers of the Crown had certainly never sanctioned the exemption of small Pamphlets from the provisions of the Statute. He really could not undertake to say what might have been done since the passing of the Act of the 60th

Geo. III. With respect to the latter part of the Question of the hon. Member, the advice of the Law Officers of the Crown, so far as he (the Attorney General) knew, had never been sought for or obtained as to the conditions which were required to bring newspapers or pamphlets within the Statute.

CAPE OF GOOD HOPE—THE BASUTO TERRITORY.—QUESTION.

MR. MILLER said, he wished to ask the Under Secretary of State for the Colonies, Is there any truth in the report contained in the daily press that the Government have extended British protection to the Basuto Country, adjoining the Cape of Good Hope and Natal; is it intended to annex this Territory; and, if so, is it to be annexed to the Colony of the Cape or Natal; and is there any objection to place the Correspondence relating to the subject upon the table of the House?

MR. ADDERLEY said, in reply, that the Government had certainly not extended British protection over the Basuto territory; but they had authorized the Colonial Authorities, on the repeated request of the Basutos, to negotiate for the annexation of the territory to the Colony of Natal, upon condition that Natal was willing to undertake the government of that extended territory, and that the Basuto tribes were willing to submit to such taxation, that the annexation would not entail expense upon the Natal Government. The Orange Free State would be a party to that transaction; the chief object being to define the boundary between the Basuto territory and the Orange Free State, and thus to put a stop to those wars from which the Colony had never been free, and which entailed perpetual cost and disturbance on its Government and relations. This additional advantage would be gained—that Natal would be brought out of its present isolated state, and connected with the other British possessions in South Africa. As soon as the Correspondence was completed—which it would be by a despatch now expected—it will be laid on the table.

EARL OF HARDWICKE AND THE CAMBRIDGE REGISTRATION.

QUESTION.

MR. CRAUFURD said, he would beg to ask the First Lord of the Treasury, Whether his attention has been called to a meeting held at the Red Lion Hotel, Cambridge, on Saturday last, for the purpose of inaugurating the Cambridgeshire, Isle of Ely, and Town of Cambridge Conservative Registration Society, which is alleged to have been summoned and presided over by the Lord Lieutenant of the County of Cambridge, the Earl of Hardwicke, and at which he is reported to have made the following amongst other observations:—

> "Some short period of time has elapsed—two months—since I felt it my duty to take the chair at a preliminary meeting which was called for the purpose of forming a Town and County Registration Society. . . . . I take the chair to-day as a Conservative. I look forward to the necessity for such a Society as this for the purpose of guiding those persons who in future will have to exercise the Parliamentary Franchise, and of leading them to their position on the register. . . . I hope I shall be able, with my influence, to establish a Conservative Registration Association in the county;"

And whether Her Majesty's Government are prepared to sanction and approve such an interference in electoral matters on the part of a Peer of the Realm?

MR. DISRAELI: I do not know, Sir, on what principle the hon. and learned Gentleman objects to the conduct of Lord Hardwicke. Of that he has not informed us in his Question. There is an ancient Resolution of this House that Peers of Parliament should not interfere in elections; but that Resolution having been passed, as I believe, in the year 1641, it naturally did not refer to the subject of registration. It is a matter, no doubt, of constitutional delicacy, but still of a novel character; and I think it would be more convenient if the hon. and learned Gentleman would bring the matter in a more patent way before the House, so that our opinion, if he thinks it necessary, might be taken upon it. I confess my own impression is—it is only an impression—that every effort to promote the registration of the new constituencies, on whatever side it may be made, should be encouraged. I must say that, so far as my own opinion influences me, I should be in favour of any efforts which would increase the number of the electoral body of this kingdom. Therefore, if the hon. and learned Gentleman only asks me whether my attention has been called to this conduct on the part of Lord Hardwicke? I shall merely say at present, that it does not appear to me, on the part of his Lordship, conduct of a character which ought at all to surprise us. I have no doubt Lord Hardwicke takes a great interest in the county in which he resides, and I think the first feeling of every country gentleman would be that his neighbours, whatever their opinions might be, should be registered, to enable them to exercise the great boon which the wisdom of Parliament has recently conferred upon them.

METROPOLIS—WESTMINSTER IMPROVEMENTS.—QUESTION.

MR. BUXTON said, he wished to ask the First Commissioner of Works, When the new railings will be continued round the space of ground at the end of Great George Street?

LORD JOHN MANNERS said, in reply, that there was a Vote included in the Estimates, which he hoped would shortly be in the hands of Members, for the purpose of re-arranging the ground in question, and when the Vote was passed by the House, the works would be put in hand.

ANNUAL STATISTICAL ABSTRACTS. QUESTION.

MR. BUXTON said, he wished to ask the Vice President of the Board of Trade, Whether the Annual Statistical Abstract cannot be published early in the year, instead of being delayed until June or July?

MR. STEPHEN CAVE said, in reply, that he was afraid there would be considerable difficulty in issuing the Statistical Abstract earlier. The time was dependent upon the completion of the Revenue and Expenditure Accounts after the 31st of March following, which was the close of the financial year, so that practically the year 1866 did not end till the 31st of March, 1867. It was very desirable that the Abstract should include the latest financial Returns, and these could not be furnished to the Statistical Department till nearly two months after the close of the financial year. The publication of the Abstract last year was exceptionally delayed by the time occupied in preparing some additional tables.

IRELAND—THE PARTY PROCESSIONS ACT.—QUESTION.

SIR CHARLES LANYON said, he rose to ask the Chief Secretary for Ireland, Whether he intends to recommend during this Session the repeal of the Party Processions Act; or, if not, does he intend to recommend any alterations in the said Act with a view of removing all doubts as to the interpretation of the said Law, and of satisfying the public mind that an impartial administration of the same will, as far as possible, be secured in all parts of Ireland?

THE EARL OF MAYO said, in answer to his hon. Friend, he had to state that it was not the intention of the Government to propose to Parliament during the present Session to repeal the Party Processions Act. It was quite true that some doubt existed, at a recent period, as to the exact interpretation and meaning of that law, but these doubts, he thought, had been entirely removed by a clear and authoritative statement made by Mr. Justice Fitzgerald on the subject; and, as it was important, he would ask leave of the House to allow him to read the opinion of that Judge on this matter. It was given in his charge to the grand jury at the last Dublin Commission. Mr. Justice Fitzgerald said—

> "They would perceive that to constitute the offence against the Party Processions Act three things were necessary. The first was that there should be an assembly of persons joining in procession; secondly, that the persons so assembling must bear or have among them some emblem or symbol; and, thirdly, that that emblem or symbol should be such as was calculated to create and perpetuate the animosity of some other class of Her Majesty's subjects. If these three circumstances concur, that there is an assembly, that they bore emblems or symbols, and that these latter are calculated to create and perpetuate animosity among Her Majesty's subjects, it constitutes an offence against the Party Processions Act. The enactment was plain and clear on the subject, and he believed he spoke with the entire concurrence of his learned Colleague when he said that it mattered not in the least what might be the colour of the flag, emblem, or symbol—orange or green, light or blue, or any other colour. The question for their consideration would be whether, under the circumstances, the display or carrying of these emblems was calculated to provoke such animosity as the Act pointed out."

Now, he thought the law from that interpretation of it was rendered perfectly clear. If any uncertainty arose in its interpretation for the future, it could only occur from juries taking a different view of the effect of the words "calculated to provoke animosity between different classes of Her Majesty's subjects." These words were very wide. It was, however, their intention to consider with the Law Officers of the Crown whether, without weakening or rendering too extensive the provisions of the statute, it might not be possible to make such an alteration as would somewhat narrow the points to be submitted to the jury in these cases. The matter was under consideration, and if a question were put to his right hon. and learned Friend the Attorney General for Ireland at a future time he would be enabled to state precisely what conclusion the Government came to on the subject.

POST OFFICE—AUSTRALIAN MAILS.

QUESTION.

Mr. VERNER said, he wished to ask the Secretary to the Treasury, For what reason the outgoing Australian Mails are now arranged to start the day before the arrival of the incoming, and thereby cause most serious inconvenience, and also expense to correspondents with those Colonies?

Mr. SCLATER-BOOTH replied, that the arrangement stated in the Question had reference only to the arrival and departure of the Mails from Southampton, whereas an interval of five days was in fact allowed for answering letters if the answers were transmitted *viâ* Marseilles. The additional postage was only 4*d.*, and he thought there could be no reasonable objection to that charge. The arrangement might produce inconvenience in some quarters; but it had been adopted, after careful consideration and full consultation with the best authorities on the subject, as the one most convenient to the public, and he feared that it would be impossible to make any alteration without great additional expense and considerable inconvenience to the public of New South Wales and Victoria.

BRITISH REGIMENTS IN NEW ZEALAND.

QUESTION.

Mr. GORST said, he wished to ask the Under Secretary of State for the Colonies, Whether the New Zealand Government has wholly refused to fulfil the conditions upon which a British Regiment is stationed in that Colony free of charge; Whether the sums appropriated during the last two years to Native purposes by the New Zealand Assembly, instead of the £50,000 per annum stipulated for, have not in fact been £23,751 and £24,058 respectively; and upon what conditions it is now intended to station a British Regiment in New Zealand free of charge to the Colony, and what are the grounds for supposing that such conditions will be accepted and fulfilled by the New Zealand Government?

Mr. ADDERLEY, in reply, said, he had to state to the House that there was no intention to retain a single British Regiment in New Zealand, and that, he thought, would dispose of the hon. Gentleman's whole Question.

METROPOLITAN BOARD OF WORKS.

QUESTION.

Colonel SYKES said, he wished to ask the Secretary to the Treasury, Whether he will compare the Returns from the Metropolitan Board of Works, Numbers 17 of the present and 123 of the last Session, and call upon the Board to explain the apparent discrepancies between the two Returns in respect to the total sum borrowed, the debt outstanding, the rates collected, and the total amount expended upon works; and whether he will lay such explanations upon the table of the House?

Mr. SCLATER-BOOTH, in reply, said, he did not think the Returns would on comparison be found contradictory. They were quite compatible, the one being made up to the 31st of December and the other to the 31st of March; one of the Returns referred only to the transactions under the Main Drainage Acts, the other to the whole of the transactions of the Metropolitan Board of Works, but if the hon. and gallant Member wished for information in a different form he would be happy to confer with him privately on the subject.

ARMY—OFFICERS OF THE LATE INDIAN NAVY.—QUESTION.

Mr. SURTEES said, he would beg to ask the Secretary of State for India, Whether, as Captain B. Hamilton, of the late Indian Navy, having been duly promoted to his present rank after being upwards of thirty-three years in the Service, and guaranteed by the Act 21 & 22 *Vict.* c. 106, s. 56, his pay, pension, and privileges, the guarantee has not been broken by placing him, for the loss of his professional prospects on the abolition of the Indian Navy, on only the same amount of compensation as that allotted to his juniors in rank and inferiors in amount of pay (namely, the junior Commanders), on the plea that his promotion only took place one month and eighteen days before the abolition of the Indian Navy; whether, as every Officer junior to Captain Hamilton, promoted on the same day as he was, receives a higher amount of compensation than any Officer of an inferior grade (irrespective of length of service of Officers of different grades), the guarantee has not been broken by Captain Hamilton being deprived of this privilege on attaining to his present rank; and, whether, as Captain Hamilton was guaranteed by the Act 21 & 22 *Vict.* an unemployed pay of £480 per annum as per Indian Naval Code, section 13, paragraph 59, the guarantee has not been broken by placing him on a compensation of only £450 per annum for the loss of his full pay of an average of £1,300 per annum, £50 of this sum being made up by the sale to the Secretary of State for India of Captain Hamilton's right to the reversion of a pension of £800 per annum?

Sir STAFFORD NORTHCOTE, in reply, said, he did not think it necessary to go into all the points of the hon. Gentleman's Question. There was nothing special in the case referred to. The officers in question were treated in all respects as other officers of the same rank. There was nothing in the guarantee given which restrained the Government of India from abolishing the Indian Navy, giving pensions to the officers in proportion to their rank and services. There was no violation of the guarantee in that respect. Captain Hamilton was a captain of very short standing, and he came within a certain class of pensions that were offered. He might either have had a pension of £400 a year, with a chance of obtaining a higher, or £450 certain, and after full consideration he accepted £450 absolutely. There was no intention of offering him any more.

INDIA—THE SINDH RAILWAY.

QUESTION.

Viscount CRANBORNE said, he would beg to ask the Secretary of State for India, Whether the case of Bray *v.* the Sindh Railway, which has been under arbitration for seven years is likely, soon to be brought to an early conclusion?

Sir STAFFORD NORTHCOTE said, he might perhaps be excused from replying to the noble Lord's Question in the Scotch fashion, by putting to him another—what did he mean by "an early conclusion?" The action was commenced in 1860, and was referred to arbitration in 1861. The arbitration was going on and there had already been 169 sittings; it was not likely, he feared, the arbitration would be concluded for some time. It was, however, a question of some difficulty. The Government of India were no parties to the action; it was brought by a private individual. The costs already amounted to £3,000, and probably they would ultimately fall on the Indian Government, who had already advanced £15,000. He (Sir Stafford Northcote) had addressed a letter to the Company, urging them to bring the proceedings to a speedy conclusion, and he was happy to state that the Directors had applied to the arbiter to fix continuous sittings.

INDIAN FINANCE.—QUESTION.

Mr. CRAWFORD said, he would beg to ask the Secretary of State for India, Whether it is true that a telegram has been received from India that day containing the heads of the Financial Statement submitted by the Finance Minister to the Governor General in Council; and, whether the right hon. Baronet will have any objection to state the result?

Sir STAFFORD NORTHCOTE said, in reply, that he had that day received a telegram from India, and he was happy to say that the Financial Statement which had just been made by Mr. Massey was of a very satisfactory character. The surplus of the present year was estimated at £800,000, and that for the coming year 1868-9 at £230,000, after providing for all charges except those for irrigation. The surplus for the present year, with the unexpended balance of 1865-6 would be applied to cover the charge for the irrigation works for 1868-9. No loan was proposed in the Budget for the coming year and no new taxation.

Colonel SYKES: Does that statement include the Home charges?

Sir STAFFORD NORTHCOTE: It has nothing to do with the Home charges.

PUBLIC SCHOOLS BILL.—QUESTION.

In reply to Mr. Goschen,

Mr. WALPOLE said, he did not think it would be possible, in the face of the business on the Paper, to go into Committee that evening on the Public Schools Bill. In addition to this he thought it would be best to refer the Bill to a Select Committee.

THE ARMY ESTIMATES.—QUESTION.

Captain VIVIAN said, he would beg to ask the Secretary of State for War, Whether he will make his Statement with reference to the Army Estimates that night?

Sir JOHN PAKINGTON said, it was his intention to make his Statement that night, provided he had an opportunity of doing so before nine o'clock.

ECCLESIASTICAL COMMISSIONERS ORDERS IN COUNCIL BILL.—QUESTION.

Mr. GLADSTONE said, he would beg to ask the Secretary of State for the Home Department, Whether the Government intend to proceed that night with this Bill, which was simply a retrospective one; what view the Government took of the Orders in Council which they propose to confirm; and, whether they intend to extend the application of the Bill to similar Orders in Council which may be passed in future?

Mr. GATHORNE HARDY said, in reply, that the Bill would be taken on Monday, so as to enable those hon. Members who were absent, and who desired to take part in the discussion upon it, to be in attendance. The Bill in question was specifically drawn with a retrospective object; but it might become necessary to legislate with regard to the future upon this subject.

COMPULSORY CHURCH RATES ABOLITION BILL.—QUESTION.

Mr. WALPOLE said, it was proposed to Re-commit this Bill to-night for the purpose of adding two clauses to it, and then to read it a third time. He wished to point out to the right hon. Gentleman (Mr. Gladstone) that such a course was a very unusual one, and to ask him, Whether he had any objection to permit the Bill to be re-printed after the new clauses were added, and to take the third reading on some other evening?

Mr. GLADSTONE said, that if such were the desire of hon. Gentlemen he could have no hesitation in acceding to the proposal.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE LAW OF EXPATRIATION.

OBSERVATIONS.

Mr. W. E. FORSTER said, he rose for the purpose of calling the attention of the House to the effect of the Law regulating the allegiance of subjects of the Queen who have emigrated to Foreign countries, and especially to the United States of America, and to ask the Secretary of State for Foreign Affairs, Whether he does not think that the time is opportune for attempting to arrive at a mutual understanding between Her Majesty's Government and the Government of the United States respecting the right of expatriation? He felt that, as he was not a lawyer, he ought, perhaps, to apologize to the House for introducing this Question to its notice. He believed that the claims made by this country in connection with this subject had operated greatly to our disadvantage in our intercourse with foreign nations, and the time had now arrived when we might properly inquire whether it would not be for our interest to modify those claims to some extent. The present state of the law had caused ill-blood between us and the United States, and there was danger of its doing so again. In order to bring the subject fully before the House it would be necessary for him to refer briefly to the law upon this question as it stood at present. As far as he could make it out, there appeared to be two classes of British subjects—those who were so by the common law, and those who were so by the statute law. By the common law all persons born within the dominions of the Queen were British subjects, notwithstanding the fact that their parents might be foreigners who were within those dominions merely on a visit. The child of French parents who was born in this country, or of American parents who was born in Canada, was a British subject, and must be so to the end of his life. There were two ways by which persons might become British subjects under the statute law—firstly, by being naturalized, under certain conditions, by Act of Parliament; and secondly, under the provisions of two Acts, one passed in the reign of George II., which enacted that all children of British subjects who might be born out of Her Majesty's dominions were entitled to the privileges of British subjects, and the other in the reign of George III., which extended those privileges to the grandchildren of British subjects born abroad, even though the fathers had never been in the King's dominions. There was, however, this difference between the natural-born subject and the children and grandchildren of British subjects born abroad, that allegiance was claimed from the former alone. It had been stated by a very able writer in *The Times*, who wrote under the name of "Historicus," that it was a question whether we did not claim allegiance from the children and grandchildren of British-born subjects, even although their parents had been all their lives abroad. Well, if we did, we should claim at least half the population of the United States. A similar opinion as to our claims appeared to be prevalent in America, and a portion of the excitement in that country was, doubtless, owing to that notion. He thought that was an erroneous opinion, as the statutes appeared to be enabling rather than compulsory. The noble Lord the Secretary of State for Foreign Affairs would correct him if he were wrong when he said that the British Government had never attempted to claim allegiance from those persons. The law, however, upon the point was far from clear, and it would be well for Parliament to define the extent of our claims, so that there could be no doubt upon this branch of the subject. The law respecting the British-born subject was, however, perfectly clear, and it asserted that by no act of his own could the British-born subject get rid of his allegiance to the Crown. He might go to other countries—he might enter the French army and become a French field-marshal—he might become a citizen of the United States and a member of the United States Congress—but still his allegiance was claimed by the British Crown. Upon this point Blackstone, in defining the conditions of allegiance, said—

> "National allegiance is such as is due from all men born within the King's dominions immediately upon their birth. It cannot be forfeited, cancelled, or altered by any change of time, place, or circumstance, nor by anything but the united concurrence of the Legislature. An Englishman who removes to France or to China owes the same allegiance to the King of England there as at home, and twenty years hence as well as now. For it is a principle of universal law that the natural-born subject of one Prince cannot by any act of his own—no, not by swearing allegiance to another—put off or discharge his natural allegiance to the former."

It was rather remarkable that this was the only country which carried its claims to allegiance to this extent. On the Continent they treated the matter not so much as the claim of the Sovereign to the allegiance of the subject, which never could be broken; but rather as the right of the citizen to assistance and to privileges which, under certain circumstances, he might forfeit. Thus the *Code Napoléon*, cap. 1, laid down "That the quality of a Frenchman is lost by naturalization in a foreign country," the French principle being that "*personne ne peut avoir deux patries;*" although it was true that Napoleon in 1811 declared that all Frenchmen who should change their nationality without the consent of the State should be liable to certain penalties. Prussia went almost as far in the other direction as we stopped short of it, and adopted a principle which he trusted would never be accepted in a commercial country like this—that a citizen lost his privileges not only by his own request, or by sentence of a competent authority, but also by residing ten years in a foreign country. But the matter was set upon what he regarded as the proper footing by the Italian Code, which was said to be the newest and the best edition of the *Code Napoléon*. By that code the rights of citizenship were lost by declaration of renunciation made before a civil authority and subsequent residence in a foreign country; by accepting employment from a foreign State, or entering into its military service, without the consent of the Italian Government; or, finally, by becoming naturalized in a foreign country. The doctrine which was upheld by this country was upheld by ourselves alone, and this was the more astonishing, inasmuch as no country furnished such a number of emigrants to all parts of the world. But there was also this remarkable fact, that we had been compelled to give up the principle on which it was founded. Originally that principle was, that while we claimed the allegiance of all British subjects we in return afforded them protection. Blackstone distinctly stated in his *Commentaries* that such was the case—

> "Local allegiance is such as is due from an alien or stranger born, for so long a time as he continues within the King's dominion and protection, and it ceases the instant such stranger transfers himself from this kingdom to another. Natural allegiance is perpetual, local allegiance is only temporary; and that for this reason, evidently founded upon the nature of government, that allegiance is a debt due from the subject, upon an implied contract with the Prince, that so long as the one affords protection, so long will the other demean himself faithfully."

But we had found it impossible to carry out that principle, and a curious proof of the fact was furnished during the course of the late American civil war. Thousands upon thousands of English and Irish emigrants in America endeavoured to claim exemption from the conscription and from enrolment during that war; but we found it impossible to assert their right to exemption, after they had taken any step towards renouncing their allegiance to the English Crown. Consequently we gave up all idea of affording them protection, but we still claimed to regard them as subjects of the Queen. Now, by the United States' Census of 1860, it appeared that at that time about 4,100,000 persons in the United States were born abroad. Of these about 2,450,000 were subjects of the Queen; no less than 1,600,000 of them having been born in Ireland. Yet most of these persons were citizens of the United States; nearly all intended to be. The House was perhaps aware of the oath that was taken by an alien desiring to become a citizen of the United States. It ran as follows:—

> "I, A B, do declare on oath that I will support the Constitution of the United States, and that I do entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, State, or sovereignty whatever, particularly (here came the name of the Sovereign of the country in which the person was born) to Victoria, Queen of Great Britain and Ireland."

The oath could not be taken before the person had resided in America for five years. But some time before taking this oath another was necessary, as follows:—

> "I do declare my intention to become a citizen of the United States, and to renounce for ever all allegiance and fidelity to every," &c.

Those were the oaths that were taken by a vast number of emigrants, and it would be useless to attempt to disguise the fact that, in the case of a great number of the emigrants, the oaths were taken with a full cognizance of their meaning, with a full intention of keeping them and never returning to our shores, and that a large number were very glad to have the opportunity of renouncing their allegiance to the Queen of England. But, by the law of England, their right to attach themselves to America was denied. The question was, whether it was desirable for England, when no other country in Europe put forward such a claim to insist upon such a law with reference to a nation so nearly connected with us as the United States? What had been the result of this claim upon the relation of England to the United States? There were many persons in America who undoubtedly wished to make it work as badly as possible, and they were somewhat encouraged in this by the way in which the law had worked in times past; for it was this conflict of allegiance that gave rise to the war between ourselves and the United States in 1812, which resulted from our claiming to take British seamen out of American ships. The Americans had a great deal to say for themselves in this matter. That that was really the ground was evident from the Prince Regent's declaration in reply to the President's proclamation of war—

> "There is no right more clearly established than the right which a Sovereign has to the allegiance of his subjects, more especially in time of war. Their allegiance is no optional duty, which they can decline and resume at pleasure. It is a call which they are bound to obey—it began with their birth and can only terminate with their existence."

That certainly appeared to be an argument that we were still asserting abroad. We were now in this difficulty:—Some of the Irish emigrants to America, who having joined the Fenian organization, had returned to Ireland, were arrested there. They claimed the rights of American citizens; and those rights were, as must be the case under the present state of the law, refused to them, because by law they were British subjects. The House was doubtless aware of two or three cases where the difficulty had recently arisen. There was, for instance, the case of Captain Warren, the leader of the Jacmel expedition, in whose trial Chief Baron Pigott refused a mixed jury, stating that he was still a British subject, and that—

> "According to the law of England—a law which has been administered without any variation or doubt from the very earliest times—he who once is under the allegiance of the English Sovereign remains so for ever."

The result of these cases had been considerable excitement in America. Numbers of meetings had been held, and the matter had been brought before Congress. He was perfectly aware that the excitement had been increased by interested parties—by agents of the Fenian conspiracy—and that there had been great exaggeration. It had been stated that American citizens had been arrested in England on account of acts committed in America, and other statements equally devoid of foundation had been spread abroad. But still the excitement had been considerable. One doctrine, among others, that had been brought forward in the American House of Representatives, but brought forward, he was glad to say, only to be denounced by all present who possessed any influence, was that, if we persisted in our claims, our action should be met by reprisals. It was only due to America to say that though such a doctrine had been mooted it had found no favour. But to show what the feeling of the Americans on the subject really was he did not think he could do better than read the letter written by Mr. Webster to Lord Ashburton, in 1842—

> "A question of such serious importance ought now to be put to rest. If the United States give shelter and protection to those whom the policy of England annually casts upon their shores—if by the benign influences of their government and institutions, and by the happy condition of the country, those emigrants become raised from poverty to comfort, finding it easy even to become landholders, and being allowed to partake in the enjoyment of all civil rights—if all this may be done (and all this is done under the countenance and encouragement of England herself), is it not high time, my Lord, that yielding that, which had its origin in feudal ideas as inconsistent with the present state of society, and especially with the intercourse and relations subsisting between the Old World and the New, England should at length formally disclaim all right to the services of such persons, and renounce all control over their conduct?"

He would now briefly refer to the objections which might be urged to our giving up this right. In the first place, it might be said that by so doing we should place ourselves in a worse position for dealing with those engaged in the Fenian conspiracy. He thought not. It was true that if the Fenians were treated as aliens they would have the power under the existing law to demand a mixed jury; but the question immediately arose, whether it was wise to continue in operation a law which had been passed centuries ago to meet the necessities of a totally different state of society from the present; nations were not now separated as in former times, and less cause for fear existed that foreigners in any country would be treated with injustice. This law could at least be dispensed with as far as America was concerned; no such law, he was informed, was in operation in the United States, though, of course, American citizens were justified in applying for a mixed jury in England as long as the law was in operation. It was also true that if Fenians were regarded as aliens they would have the right of claiming the protection of the Minister representing the country from whence they had come; but although no Minister would refuse to entertain a demand for protection by any of his country's subjects, it was quite open for him to refuse to respond to that demand on making sufficient inquiry. True, it was necessary to remember, as an element in the calculation, that all foreign Ambassadors did not possess so remarkable a mixture of prudence and moderation, coupled with a determination to maintain the rights of his own country, as distinguished the present United States' Minister; but as these returned emigrants from America were not now considered by the American Government as British subjects, they did, in fact, claim protection from the American Minister, and, therefore, he did not think we should lose anything by the change. One advantage, however, these men would gain. There was a distinction drawn by our law between British subjects and aliens, and that was that a British subject could be tried in England for treasonable practices committed abroad, and an alien could not; but, in both cases, acts committed abroad might be alleged in our Courts as evidence of intent regarding treason at home, for which either might be tried. By making these men aliens we should give up the right to try them for treason committed abroad. But he presumed no Government would think of prosecuting a man in England for treasonable speeches made in New York. The feeling which would be excited in the States by such a proceeding might easily be estimated by imagining what would be our own feelings if a Pole, naturalized in England, having made a strong speech in London against the Russian Government, was afterwards arrested in Russia, and tried for treason. Our feelings would undoubtedly be strongly excited by such a circumstance. "Historicus" recommended that we should enlarge the principle of our law, and make agreements with foreign countries to try aliens as well as subjects for all illegal acts, including treason, whether committed at home or abroad; but he thought that our lawyers would hardly consider that an advisable course, and he was sure our Foreign Ministers would be sorry to have the settlement of the complications which would arise if this suggestion were adopted. Another objection which it was necessary to meet had originally presented itself to him with some force, and that was the necessity we were under to be careful not to shake the principle on which patriotism was founded. But on examining this question more closely he found that it formed a strong argument the other way. To allow a man to play fast and loose with his country, to permit him to go to the United States and commit acts offensive alike to our Sovereign and our country, and then to return here and claim the rights of a British citizen, was sapping the very foundation of patriotism. Those persons who, in swearing allegiance to a foreign State, renounced their allegiance to our Queen, deserved no consideration; those only who desired to owe temporary allegiance to a foreign State, with the full and honest intention of returning to this country at a future time should have an opportunity of again obtaining the rights and privileges of a British subject. The case of these persons might be met by some such agreement as that come to on the 22nd of February last between Prussia, as representing the North German Confederation, and the United States. Prussia admitted the principle of lost citizenship more fully than any other country, yet she claimed that every emigrant should perform his services to the State after his return. There were a great many instances of Prussians who, having become citizens of the United States, before serving in the Landwehr, and having afterwards returned home, were compelled to fulfil their military service. This being so, a long negotiation took place between the two countries, and it ended in a treaty, the terms of which he believed to be as follows:—

> "1. Every subject of the North German Confederation naturalized in the United States of America and having resided there during five years shall be considered by the North German Confederation as an American subject, and treated as such, and *vice versâ* as regards an emigrant from America."

On his return to the United States he would enjoy all the rights of American citizenship, and during any stay in Prussia no attempt would be made to force his service in the Landwehr. The Convention further provided that—

> "2. Every naturalized subject of either State who may return to the land of his birth cannot be prosecuted for any criminal offences, unless they shall have been committed by him previously to his expatriation. 4. Every naturalized subject, who having no intention of returning to the country of his adoption, resides continuously during two years in his former country is presumed to have renounced his naturalization."

He did not say that this was precisely the agreement which we ought to come to; but he alluded to it as showing what had been the result of a long negotiation between those two countries; and he asked the House to consider whether we should not aim to replace our absolute denial of the right of expatriation by some definitions of how that right should be exercised, and also by enabling persons under certain conditions—if he might use an obsolete word—to repatriate themselves. He left the matter in the hands of the noble Lord, confident that, if the noble Lord were convinced that something should be done, he would find the best possible way of doing it. A Congress of Nations had been suggested, and in favour of this suggestion was the fact that the matter did not seem to be so much a subject for treaty as for mutual understanding. He noticed also that "Historicus" recommended it, and without doubt this subject was one which could with great propriety have been submitted to that quintennial or decennial Congress of Nations stated to have been proposed by the Emperor of the French, if that proposal had been carried out. But if, with reference to this suggestion of a Congress, it was said that questions might arise, such as extradition and criminal jurisdiction, which it would not be well to discuss in a Congress partly composed of despotic Powers, no such argument could be adduced in opposition to a proposal to come to an understanding on the matter with the United States, and for this purpose he suggested the appointment of a Joint Commission of subjects of the two countries. A Commission might be appointed, composed of some of the ablest and best men of both countries, who would carry with them the confidence of their own nation, and very likely also that of the other. The American law required almost as much alteration as ours. America was the only other great country besides England that denied the right of expatriation. On that matter there had been a curious conflict between American law and American diplomacy. The American Government had found it necessary to protect the men who emigrated to their shores; yet their jurists had always stuck to the doctrine of perpetual allegiance, which was part of the common law of England; and America had shared our own difficulty in getting rid of these old principles of law, In his last General Message to Congress, in December, 1867, President Johnson, alluding to the negotiation with Prussia, said—

> "In connection with this subject, the attention of Congress is respectfully called to a singular and embarrassing conflict of laws. The Executive Department of this Government has hitherto uniformly held, as it now holds, that naturalization in conformity with the Constitution and laws of the United States absolves the recipient from his native allegiance. The Courts of Great Britain hold that allegiance to the British Crown is indefeasible, and is not absolved by our laws of naturalization. British Judges cite Courts and law

authorities of the United States in support of that theory against the position held by the Executive Authority of the United States. This conflict perplexes the public mind concerning the rights of naturalized citizens, and impairs the national authority abroad."

Mr. Johnson was perfectly justified in that statement; because the highest authority among the Americans, Chancellor Kent, said—

> "From this historical review of the principal discussions in the Federal Courts on this interesting subject in American jurisprudence, the better opinion would seem to be that a citizen cannot renounce his allegiance to the United States without the permission of Government, to be declared by law; and that, as there is no existing legislative regulation on the case, the rule of the English common law remains unaltered."

Their next best authority, Justice Storey, gave the same opinion. Therefore a Joint Commission might do a useful work for both countries, and define what was a British subject and what an American citizen. The questions of naturalization, and that of the position of aliens, might also come before it. England and America seemed to be behind other civilized nations in their treatment of aliens. France, he believed, did not make it impossible for aliens to own land; but England and America did. England allowed naturalization without any term of previous residence; while America required five years' residence. In the United States naturalized citizens might, after seven years' residence, become Members of the House of Representatives, and after nine years' residence Members of the Senate; whereas in England, notwithstanding the facilities afforded by an Act of 1844, naturalized subjects could not sit in the Legislature. But for the accident of the Act of *Geo.* III. coming to his rescue, the hon. Member for Banbury (Mr. Samuelson) could not now be a Member of that House. He really did not see why constituencies should not be at liberty in such cases to elect whom they thought fit. In considering the subject of expatriation and repatriation various legal difficulties would probably arise. One of those difficulties would relate to the position of children; and it would be well to look at the French mode of meeting it. In France, instead of the child of every French subject abroad becoming necessarily a French subject also, the option was given to the child of choosing his country within one year after he became of age. That appeared to him a principle which had much justice to recommend it. Or, possibly, this rule might be adopted—namely, that every child of a British subject might at any time, after a certain term of residence, be entitled to claim the full rights of citizenship. But the rather absurd Act passed in the reign of George III., although it had certainly been of great advantage in the hon. Member for Banbury's case, could scarcely be maintained. If an Englishman went to France or America, lived there, died there, had a son who also lived and died there, and had a grandchild who happened to come to England, he did not see how he should then be deemed a British subject. In conclusion, if the Joint Commission, which he advocated as the best mode of settling these questions, were fairly tried, and proved, as he hoped it would, successful, he believed such a result would lead to its adoption in regard to other matters of dispute between this country and America, so as almost to make the occurrence of war between the two nations impossible.

SIR ROBERT COLLIER said, the question to which the hon. Gentleman who had spoken last had called attention was one of very great importance, and he trusted it would form the subject of discussion, and amicable discussion, between this country and the United States. His hon. Friend had referred to two descriptions of citizenship — the one arising by birth, and the other by the operation of the statute law; and what he had said with regard to the first was quite correct, though what he had said as to the second was not so. If it were true that this country claimed allegiance not only from natural-born British subjects, but from the sons and grandsons of natural-born British subjects, in pursuance of the Acts which had been referred to, although they had been long resident in foreign countries, that might involve us in the greatest difficulties. He believed, however, that that was not the true state of the case. He trusted he should have the concurrence of the noble Lord, and of the Law Officers of the Crown, in the statement—that the true construction of those Acts which attached British citizenship to the grandsons of British subjects was that they were only enabling Acts, giving to the persons named in them certain rights of citizenship when they came to England, but not entailing upon us in any way the duty of protecting them abroad—not requiring us to insist that foreign Governments should treat them as British citizens, and not giving us any rights as against themselves. The 13 *Geo.* III., c. 21, said this—

> "Whereas divers natural-born subjects of Great Britain who profess and exercise the Protestant religion, through various lawful causes, especially for the better carrying on of commerce, have been and are obliged to reside in several trading cities and other foreign places, where they have contracted marriage and brought up families; and whereas it is equally just and expedient that the kingdom should not be deprived of such subjects, nor lose the benefit of the wealth which they have acquired, ... all persons whose fathers were (by previous Acts) entitled to all the rights and privileges of natural-born subjects shall be adjudged . . . . natural-born subjects for all intents and purposes."

But the words "for all intents and purposes" in that Act must depend for their interpretation upon the object of that statute, and also upon that of the previous statutes in question, which was to give these persons certain rights if they came to this country, in order to encourage them to come. The next question was, whether the extent to which we carried the doctrine of allegiance was one which could be maintained, or which it was expedient to maintain? His hon. Friend had read a passage from Blackstone. What would be the consequence if the doctrine there laid down were carried out logically? It must come to this, that a man born in England, but who only remained in this country for a week, and was then taken away abroad and educated, became to all purposes a citizen of a foreign country, held land, served public offices, and enlisted in the army of that foreign State, might still be deemed a British subject, and if we went to war with that country and he happened to be taken prisoner by us might be dealt with as a traitor. Upon one occasion, in fact, a man named Æneas M'Donnell, born in this country, but who had lived all his life abroad, was taken prisoner while serving with the French army, tried, and convicted; but it was found impossible to carry out the sentence, and he was acquitted on condition of residing abroad. It was perfectly true that the Americans had no right to complain, their law being the same as our own in this respect; but the question remained whether it was not desirable to come to some understanding with a view of obtaining some modification of the law as it now stood in both countries. He was unable to see why the mere accident of a man being born in a particular country should fix upon him an unalterable and inalienable allegiance with which during his whole life he should be bound to comply. Various writers of authority, moreover, had disapproved the extent to which the legal principle was carried. Bynkershoek maintained that—

> "Without a special law prohibiting, it is permissible for any man to put off his condition of subject and to change his country. All the writers on public law agree in this; but in the opinion of the Chinese and the English, more than once publicly expressed, this is not allowable."

Wheaton said that—

> "In all countries where the English common law does not prevail, the presumption, in accordance with the uniform doctrine of the publicists, is in favour of the existence of the right of expatriation."

And Dr. Twiss, an able writer, now Queen's Advocate, laid it down that—

> "Natural allegiance, or the obligation of perpetual allegiance to the Government of a country wherein a man may happen to have been born, which he cannot forfeit or cancel or vary by any change of time or place or circumstance, is a creature of the civil law, and finds no countenance in the Law of Nations, as it is in direct conflict with the incontestable rules of that law."

He ventured to think that an arrangement might be made with America somewhat to this effect:—Where a man had resided in that country for a certain time, had been naturalized, had served public offices, or otherwise shown an intention to make himself an American citizen, we ought to treat him as no longer a citizen of this country. If, however, he should return from America, and reside for a certain time in England, his rights as a native of this country might then be suffered to revive. During the American civil war it was found practically impossible to give protection to all persons who claimed to be British subjects, but had for years acted as citizens of their adopted country; and this principle of action ought to receive due recognition. He trusted that the House would hear that the noble Lord the Secretary of State for Foreign Affairs had considered this subject, and was prepared to take some steps with the view of inducing both nations, if possible, to modify to some extent the extreme rigour of the existing law of perpetual allegiance.

LORD STANLEY: I think the hon. Member for Bradford (Mr. W. E. Forster) has done good service in bringing this question forward. And, while reserving my opinion upon some points of detail which it is hardly necessary to discuss, and upon some legal matters as to which I do not feel that my judgment would be of any value, I will at once say that I do not see any reason to dissent from the general tendency of the views expressed by the hon. Member. He stated, and stated truly, that as long as the United States' law remains, as practically I believe it is, identical with ours, we have a very fair reply in any controversy which may arise. But that is no reason why we should not agree to amend anything in the laws of both countries which may be unsuited to the times in which we live. From the first I have carefully guarded myself, when speaking in the name of Her Majesty's Government, against even the appearance of a wish to stand up for the maintenance of that doctrine of indefeasible natural allegiance which seems to be so entirely unsuited to the case of emigrants, and still more to the descendants of emigrants. Putting aside the extreme application of the law to the descendants of emigrants, on which I believe some doubt exists, and confining it to the case of the emigrants themselves, it seems hardly defensible in theory and it is certainly unworkable in practice. It is indefensible in theory because, in any country where emigration is sanctioned, authorized, and even encouraged, and where such emigration notoriously takes place to a foreign country, the Government which sanctions such emigration must be held to concede not only to the descendants, but to the emigrants themselves, the right to sever themselves permanently from the country of their birth, and therefore from allegiance to the Sovereign or the Government of that country. It is unworkable in practice, because it is obvious that if we attempted to make good practically the claim which we have theoretically on all British subjects who have expatriated themselves, we should be obliged to apply, or rather to endeavour to apply, that law to the many thousands who have scattered themselves all over the States of America, and who have become quite undistinguishable from the native citizens, and over whom even if we wished it, we could exercise no control whatever. I think a good deal of misunderstanding exists as to the bearing of this question upon the *status* of persons engaged in a conspiracy against the Government of this country who may be brought to trial here. A great deal has been said about men being tried and punished here for acts done in America. I apprehend that is not practically the case. It would not happen once in a hundred times. Then much is said about the claims of persons over whom we exercise no national rights, to be tried by a mixed jury. But it is perfectly clear that the right to be so tried is not a matter of international obligation; it is only a regulation of our own municipal law, which we should have a right to abolish to-morrow if we thought fit, without any foreign Government having reason to complain. That consideration, therefore, we may put out of the question. The only other advantage that I can see which an alien tried, say for some Fenian offence here, would have over a British subject would be in the power of appealing to his own Government for interference and protection. I apprehend that that power would not be of any practical importance in a state of civilization such as that which exists in England and the United States, though in a ruder state of society it may have some value. If a person born in England were, on returning from America to this country, tried for a political offence, and if he claimed to be an American citizen, and declined to be regarded as a British subject, he would be in some respects in a worse position if, through the alteration of the law, his claim were admitted, than if no alteration were made. It is some palliation of the acts of a political offender, however misguided his conduct may have been, to say that he was endeavouring to redress the wrongs of his country; but if he severs himself altogether from his native country and settles in another, becoming a citizen of that other country, then his *locus standi* for interference in the affairs of his native country is absolutely gone. He is no longer a patriot with a grievance to redress, but a cosmopolitan revolutionist. I may perhaps say that I have directed the British Minister at Washington to express to the Government of the United States our willingness to take this whole question into consideration; and if they act in the same spirit with us, we are willing to meet them half-way. I hope, therefore, that so far as diplomatic difficulties are concerned, there is no prospect of any arising. But when we come to consider the details, the matter is not quite so simple. The political difficulties are practically unimportant, but there are legal difficulties which demand a great deal of consideration. There are involved questions affecting the *status* of the children of emigrants, and the settlement of property in this country in the event of persons who have emigrated and become citizens of a foreign country coming back to their native land

and resuming their allegiance. There are many points of this kind which require much careful and minute examination before they can be satisfactorily dealt with. It is quite true that a treaty which deals with this question has been concluded between Prussia and the United States. I have seen confidentially a copy of that treaty, and I must say that it contains no provision for meeting these difficulties—difficulties which I do not think can be ignored by this country, either in legislation or negotiation. If it were a question of expatriation only, the matter would be simple ; but it is also a question of repatriation, and in connection with this latter question many difficulties arise. Another point is, that any alteration made in the *status* of British subjects will affect not only those who emigrate from England, but also those who may leave the British colonies. Many of those colonies have independent Legislatures, and we must consider them in making any alteration in our municipal law. I am in communication with the Government of the United States on this subject, and although I should be unwilling to give any absolute pledge to the House, I think it likely before anything can be concluded, that it will be necessary, or at least desirable, to have an inquiry by competent legal authorities. I do not think that, in a matter of this kind, we ought to act with too much haste. The first thing is, that the two countries should arrive at an understanding as to the principle on which they are prepared to treat ; and when that agreement is come to, the questions of detail may be safely left for that full and deliberate consideration which they will necessarily require. Whether the inquiry which I have suggested should be national or international, is a matter on which I am not at present prepared to give an opinion, and which I think the House will not be unwilling to leave to the consideration and decision of the Executive.

Mr. BUXTON said, he rose only to say a few words in favour of the suggestion of an International Conference. He thought that Her Majesty's Government should not throw away this excellent opportunity of inviting the other Powers of Christendom to such a conference, with a view to the settlement both of that and of some other international questions that had cropped up during the last few years. He believed the advantage would be very great of having from time to time an International Conference, with the view of entering into agreements on the multitude of questions that were continually pushing their way up regarding the relations and conduct of different Nations to each other. It appeared to him that there was scarcely anything more worthy of the attention of Statesmen than the gradual creation of an International Council, in which the questions bearing on the relation of different countries to each other should be brought forward and examined, and suitable regulations be framed with regard to them, as an authoritative guide to each Government in its behaviour to the rest. It certainly must strike any thinking man as most strange, and at the same time as little creditable to the statesmanship of Christendom, that to this day International Law, instead of being the result of careful debate and deliberate judgment and solemn acceptance by the different Nations concerned, was left wholly to grow up as the merest chance in the world might direct, and to get what authority it might be able to pick up without external aid. Surely, the time had at length come—surely, Christendom had at length reached a point of civilization at which it would be possible to frame some organization by which international questions could be taken up as they rose into prominence and be fully debated, and agreements be entered into as to the conduct in such cases of civilized Governments? They had in that case before them a signal example of the want of some such organization. Millions of men had been transplanted from Europe to America and to other parts of the world, and yet the ancient and morally obsolete law still held its own, that each of these men, though he had expatriated himself and desired to forsake his own country and become a citizen of a new one, yet was compelled against his will to remain a subject of his former Sovereign, and though he was liable to all the duties and burdens that the Government of his new country might impose upon him, yet if he ever returned, even on a mere visit to his friends, he became subjected to all those of the land he had abandoned for ever. Such a state of things was manifestly absurd and cruel. But was it not also manifest, in that case as well as in a hundred others, how desirable it was that from time to time some conference or council of nations should be called together for the ventilation and settlement of questions such as these that gradually pushed their way upwards? Only a few days ago another even more striking example of the very same thing had been afforded them. That day fortnight the debate took place on the questions relating to the *Alabama*, and it had been pointed out since, what he did not think was noticed during the discussion in that House, that, in reality, the difficulty arose from the fact that, by degrees, a new regulation with regard to the treatment of belligerents by neutrals had become almost essential to the peace of Christendom; and yet that the old and morally obsolete regulations, instead of being swept off the ground and making way for those more suited to the spirit of the age, still remained in force; insomuch that, but from the admirable temper and wisdom, he was going to say of the noble Lord the Foreign Secretary, but he thought he ought to say of the two countries, England and the United States—had it not been for the moderation of feeling happily prevailing at the moment, this clashing between the old International Law or practice and the necessities of the time might have involved us in a bitter and perhaps deadly quarrel. Now, surely a new law of this kind ought not to struggle up higgledy-piggledy, by mere rule of thumb, among nations with any pretensions to high civilization? Surely, there ought to be some power of having a very important change like that deliberately proposed, deliberately examined, and, if found desirable, solemnly decided upon and agreed to by all the nations concerned. Then, again, there were the important and difficult questions regarding the extradition of criminals, which remained at present in a state of chaotic confusion, and which ought to be authoritatively settled upon a fixed and permanent basis. He feared he should wander too far away from the topic of the evening were he to give other illustrations, though abundance of them might be found, of the inconvenience and even danger that arose from their being no arrangement made among Christian Nations for the settlement of questions of that kind. Such questions necessarily became far more numerous, and far more important, as the intercommunion of nations became more incessant. In days gone by, when each nation thought that her interest lay in putting restrictions upon trade and making herself independent of her neighbours, it did not so much matter whether sound and wise regulations were or were not agreed upon as to the conduct of nation to nation, though in truth it was but too easy to recall some terrible wars in which various countries became involved for the want of wiser and better defined International Laws; but, at the present day, questions of that kind were continually pressing more and more for an authoritative decision. He was well aware that one grand objection was always made to any suggestion of that kind. It was said to be of no use to hold any Congress and lay down rules, because, after all, there was no power of enforcing them; there was no penalty that could be inflicted on those who afterwards disobeyed them. His reply to that objection was that actual experience showed it to be a delusion. As a matter of fact, nothing could have been more remarkable than the almost absolute submission of the great Powers even to that International Law which had grown up in so rude and rough a fashion, without any deliberation or solemn agreement among those Governments. The actual fact was that International Law had just as much authority over the great civilized Powers as any municipal law had over their subjects. They saw that in the debate of that day fortnight. Did a single speaker, or did a single newspaper, in commenting upon that debate, dream of denying for one moment that we were absolutely bound by International Law? Look at the despatches between Lord Russell and Mr. Seward, and again between the noble Lord opposite and Mr. Seward. Did not each of those Statesmen appeal to International Law and precedent as being entirely conclusive, though, of course, they differed on the question how far those precedents bore upon the case before them? He said, then, that actual experience annihilated the force of that objection, and proved to them that, if the law did but exist, entire obedience to it might be anticipated, even though there were no hangman at hand to execute justice upon those who broke it. If it were asked how that came about, the answer was not far to seek. Nations were, except, indeed, in their quarrels, under the sway of much plain common sense, and they felt that it would be an outrage on common sense to dash to pieces a wholesome rule the moment it appeared to produce some temporary inconvenience to themselves. But more than that; had they such a Council of Nations as that which he ventured to suggest, then those International Laws would have the sanction of a solemn agreement of all the Powers, and it was mere calumny to suppose that any one of them would ever think of breaking loose from a pledge deliberately given—from an agreement solemnly entered into with her sister Nations. Experience did not give the slightest justification for any such scandalous surmise. Experience demonstrated that they would submit themselves to the laws on which they had deliberately determined. The only objection, then, that, so far as he was aware, had ever been made against such a plan had no validity at all. The advantages of it were, he thought, beyond dispute. He had already dwelt on the serious inconvenience, and even danger to the peace of Christendom, actually arising from the want of some such organization. But, more than that, he believed that if Nations were to form the habit of thus meeting together in conference upon the questions of their international relations, the good effect of their so doing would not be simply measured by the direct and immediate results of their discussions. He thought the influence of such International Conferences would be very powerful in favour of peace and progress. The fact that Nations, instead of remaining isolated from each other as they now did, were wont to meet together in council to discuss and provide in unison for their common interests, would draw them more closely together, and would accustom them to look to a peaceful settlement of their disputes, instead of fighting them out with the edge of the sword. The tendency of such an International Council would assuredly be towards the gradual organization of Christendom as one great federal community, instead of its remaining, as it was now, a mere congeries of perfectly disconnected nations. Possibly in due time other fruits—such, for example, as a mutual disarmament—of inestimable value, might arise; but without extending their view to such splendid possibilities, it was, he thought, undeniable that great, immediate, practical advantage would be found in calling together a Conference of the great Powers for the settlement of those international questions that were now pressing for solution.

Mr. O'REILLY said, he would not trespass on the attention of the House; but must express the satisfaction he felt at the statement which had been made by the noble Lord. He believed it would do an immensity of good in clearing away much misunderstanding and ill-feeling both in Ireland and among the Irish population in the United States. Exaggerated statements of the claims of England on her expatriated subjects had been made, and the state of the law had been used most largely by expatriated Irishmen and Americans in America, who desired, through the prejudices of his countrymen, and in the name of Fenianism, to levy contributions on them for their own purposes. He would, however, propose one or two modifications in the scheme of the hon. Member for Bradford (Mr. W. E. Forster). Whatever was done in this matter should be done by municipal legislation, and it was desirable, in any investigation that might take place, to inquire into the laws affecting our relations with other countries as well as the United States. It would not do to look entirely to our relations with the United States, because whatever was done must necessarily affect our relations with all other countries. It was a peculiarity of the English law, to which attention must be directed, that it took cognizance only of crime committed by persons within its jurisdiction, and therefore the difficulty would be in cases of expatriation to be sure as to what nation the criminal belonged. He objected to the proposal to submit to a general Congress the whole subject of International Law, because it was too extensive, and generations might pass before anything practical might result. It would be far better for them to direct their attention for the present to the points on which a speedy settlement was required, especially that of naturalization. The question was, whether a subject of the Queen who had been naturalized in the United States became an American citizen or continued to be a British subject?

Mr. SAMUELSON said, he agreed in all that had fallen from the hon. Member for Bradford (Mr. W. E. Forster) with respect to expatriation, and he was also happy to hear the noble Lord's (Lord Stanley's) announcement that he was prepared to take steps which were absolutely necessary for the maintenance of amicable relations between this country and America. The hon. and learned Member for Plymouth (Sir Robert Collier) had rather understated the case in reference to the descendants of British subjects born abroad. Although there might be some qualifications in respect to the obligations of the grandsons of British subjects under the Act of *Geo.* III., he understood that the sons were by the Act of *Geo.* II. entitled to all the privileges and subject to all the obligations of British subjects—in fact, were deemed to be natural-born subjects of the Crown to all intents and purposes, and they could not get rid of their allegiance. The law was the same in the United States, and the question affected him (Mr. Samuelson) personally. His father was born in the United States, and if he (Mr. Samuelson) had been in the United States during the late civil war, he would have been liable—although a Member of the British Parliament—to have been drawn in the conscription. At the same time he would have been at liberty to run for the Presidency. Though the Act of *Geo.* III. had enabled him to obtain a seat in that House, he thought it an anomalous one. That Act, as well as the Act of *Geo.* II. upon this subject must be revised. With regard to aliens the law also required alteration ; for, whilst the certificate of the Secretary of State in England did not confer all the rights and privileges of a British-born subject, that of the Lord Lieutenant did. By an Act of *Will.* III., naturalized subjects were prevented from sitting in that House, and becoming Privy Councillors. He believed the restrictions were imposed merely from jealousy of the Dutch followers of that King; yet, strange to say, out of three Naturalization Bills passed last year, two were in favour of Dutch gentlemen, who were thus invested with all the rights of citizenship without any restriction. One of them, too, was in favour of a director of the Suez Canal—an enterprize which had excited the utmost jealousy in the minds of Members of that House, and of successive Governments of this country. These facts showed how rapidly circumstances changed, and how unsuited to these days laws might be which were reasonable enough in former days. By law aliens were not permitted to hold real estate in this country ; but he was at a loss to see why they should not. In 1844 the late Sir James Graham said he thought it was necessary for the dignity of the realm that foreigners should not be allowed to hold land ; but, considering the complication of international engagements, it was now doubtful whether it was wise to retain that exception. For instance, by a recent treaty with Switzerland, we had granted to Swiss subjects all the full civil rights of citizens, and that country had granted similar rights to Englishmen. If full effect were given to that treaty the Swiss were entitled to hold land in this country, and he did not see how the same privilege could be denied to other foreigners. The whole subject of the status of aliens required the fullest consideration ; but as the matter had been brought before the House by his hon. Friend the Member for Bradford he should leave it in his hands, instead of moving for a Select Committee, as he had intended to do on the first opportunity.

Sir ROUNDELL PALMER said, he did not rise to disturb the general concord of opinion which appeared to prevail in this debate. He quite agreed with what had fallen from the noble Lord that we should review the law of the country, to see whether any reasonable and wise arrangement could be made to prevent misunderstanding, and to facilitate that interchange between country and country which was so convenient in the present times. But there were some questions of principle easily decided, as to which it was desirable that the misunderstanding which did prevail to some extent should be dissipated. The principle always applied in construing general words in the legislative Acts of a particular country was that they were to be understood as applying solely to those persons and things which were properly and *de jure* the objects of that national legislation. Thus, Great Britain could not be supposed by any Acts to be imposing burdens upon the subjects of the United States or of other countries. This country might confer privileges upon the subjects of those countries ; but she could not impose burdens upon them without their consent. Not only was that the general rule of interpretation, but he should have thought it impossible to read the two Acts of 4 *Geo.* II. and 13 *Geo.* III. together, without seeing that the Legislature as good as declared that all they intended by those Acts was to confer benefits, and not to impose burdens upon the foreign-born children and grandchildren of natural-born British subjects. Had the extravagant and absurd construction which some persons sought to put upon the words of the first Act been correct, and all foreign-born children of British-born subjects been thereby placed, in the view of British law, in the same position in every respect as if they had themselves been actually natural-born subjects, it would have been unnecessary to pass the second Act, as it would then have followed from the provisions of the first Act that the foreign-born grandchildren of the British-born subjects would have been equally subject to those burdens and privileges with their foreign-born fathers. The language of the second Act, however, showed clearly that such a construction of the first Act was wrong, as it was merely passed to continue those privileges to the foreign-born grandchildren which were extended by the first Act to the foreign-born children of British-born subjects, there being no intention to fasten upon such persons, without their own concurrence, any burdens whatsoever. That was the first branch of this question, and he was glad of having had an opportunity of stating his distinct and deliberate opinion upon it. The next point to which he wished to direct the attention of the House was also one of principle. Many persons, when speaking or writing upon this question, appeared to forget that, as long as a British subject, whether natural-born or not, was resident in a foreign country, he was to all intents and purposes a subject of that country and bound to pay obedience to its laws. Such a foreign Government had a right to say to the British resident, "We have nothing to do with your former allegiance. Whatever our laws require from you, that we have a right to exact from you during your residence here." And, except in cases of mere travellers, the British Government had no right to say, "We will pass a law which will extend an exceptional protection to you during your residence in a foreign country, to whose laws you shall not be subject." We had no right to say that Englishmen should be entitled to hold an exceptional position in the United States because they owed us allegiance. The United States might well reply to such a proposition that while British subjects were in America they must be subject to the laws of that country; that those who remained there for temporary purposes, though they could not justly be made subject to the burdens of a permanent domicil and perfect citizenship, must nevertheless acknowledge the supremacy of the Government under which they were actually living; and that when they had taken the oath of naturalization the American Government had a right to treat them upon the same footing as if they were natural-born American subjects. This construction of the law, he submitted, was quite consistent with the right of this country to exact from such foreign residents the obligations of their natural allegiance when they returned here. Whether we went too far in making certain acts committed abroad cognizable by the laws of this country was a question for discussion; but it was not one which involved any fundamental principle that ought to lead to any difficulty. Speaking with due deference to the opinions of those who differed from him upon the matter, his study of the laws of foreign nations had led him to believe that there was not such a very great difference between those laws and that of England upon the principle of expatriation. It was true that the laws of some foreign countries declared that the quality of citizenship should be taken away from those who did certain acts; but this he understood to mean that by doing certain acts such persons should lose not the burdens, but the privileges of citizenship. For instance, if a person thus deprived of his citizenship were to bear arms against his original country, he might still be called to account for his conduct in the event of his return, and the excuse that he had forfeited his citizenship would not protect him from the penalties attached to his offence. He did not believe that the laws of any European nation affirmed that a native of a country was at liberty at his own mere will and pleasure to divest himself of the obligations of his allegiance—to act as an enemy of his Sovereign, and then to return home and excuse himself on the ground that he had changed his nationality. He agreed with the hon. Member for Plymouth (Sir Robert Collier) that our law went rather too far in treating British-born children of foreign parents, who might be merely passing through this country, as British-born subjects, and he thought some alteration should be made in our legislation upon that point in the case of persons not *bonâ fide* domiciled in Great Britain. The domicil of the child should follow the domicil of the parents at least for the purposes of obligation. It might be quite possible to introduce some other alterations in our laws respecting persons who emigrate, and who intend to reside abroad permanently; but such a change should still be accompanied by provisions which would render such persons subject, as before, to the burdens of their allegiance in the event of their returning to live in this country.

THE ATTORNEY GENERAL said, that the observations which had just fallen from the hon. and learned Member for Richmond (Sir Roundell Palmer) showed conclusively the justice of the remark made by the noble Lord the Secretary for Foreign Affairs, that this subject was not so perfectly clear as it appeared to be at first sight. The noble Lord said that he viewed, with no unwillingness to gratify it, the desire on the part of the United Sates that some new arrangement should be come to with regard to persons who had naturalized themselves in that country. It was doubtless very pleasing and very easy to say that, but it was difficult to legislate in such a direction. On the one hand, the natural-born subjects of this country—including those who were born during the temporary residence here of their parents—who went to the United States, were claimed by us as British-born subjects, who could not throw off their allegiance; while, on the other hand, the United Sates enjoined on such persons, when they chose to become citizens of that country, that they should cease to owe allegiance to their native country. That was not the case here, because the statute 7 & 8 *Vict.* enacted that when any person became naturalized in this country he should not be asked to abandon his native allegiance, but merely to bear allegiance to the Sovereign during his residence here; and by the tenor of the certificate, if he is absent from this country without permission for more than six months he loses his rights of naturalization, while, at the same time, our laws declared that a natural-born subject could not cast of his allegiance by any means. It was, however, now proposed that we should pass a law by which the British-born subject naturalized in America should become to all intents and purpose an American citizen. He repeated that it was very easy to make that proposal, but before such a law could be passed it would be necessary to look carefully through the statute book, to see what consequences might flow from such legislation affecting the interests in real property in this country, and the rights of those persons who went to America and were there naturalized, and of their children. Another most material question to consider was the subject of repatriation. The hon. Member for Bradford (Mr. W. E. Forster) had said that, by the Prussian treaty, it was provided that a Prussian subject who had been naturalized in America, and who then returned to Prussia or the German Confederation without intending to return to America, would be deemed to have renounced his rights to American citizenship. [Mr. W. E. FORSTER: After residence for two years.] He did not, however, understand what were to be the rights of a man who had so returned to the country of his birth, or what was the effect of his temporary expatriation.

MR. W. E. FORSTER: Upon his return he is treated as an American citizen until the expiration of the two years.

THE ATTORNEY GENERAL understood the hon. Gentleman to say that after that time he was no longer to be regarded as an American citizen or to be treated as such. But this was one of those cases in which there was a great deal of difficulty in entering into an arrangement. He could not help thinking that before any treaty or arrangement was made upon this subject, however willing we might be to enter into such an arrangement, the rights of our countrymen who went to America, and were naturalized ought to be fully considered, and the effect that any proposals would have upon some of our laws—the laws of inheritance, for instance, also considered. He did not wish at the present moment to enlarge upon that subject. It should be remembered that our municipal law had been to a great extent copied in the United States, and that a child born in this country, of a citizen of the United States, was claimed to be a citizen of the United States. He was not going to discuss the construction which the hon. Member had put upon the statutes, but it was quite clear that before this matter was determined by treaty or any arrangement was entered into, great care should be taken to see how far the law of this country would be affected, and how far the rights of British citizens would be compromised by interference with the statute law.

POSTAL SUBSIDIES.—RESOLUTION.

Mr. BAXTER said, he moved that, in the opinion of this House, no Postal Subsidies in the form of a fixed payment, and not dependent on the number of letters and newspapers carried, should be granted where ordinary traffic supports several lines of passenger steamers, as is the case between this country and the United States of America. The only case in which this Motion, if carried, would have a practical effect, would be that of the postal service between this country and the United States, and the only effect would be to prevent those large payments which were made to the Cunard Company, being continued in the future. He did not mean to say a word against that company, which had in times past performed its duties well, and had fairly earned its original subsidy; but what he complained of was that subsidy had subsisted ten or fifteen years too long, and the British taxpayer had consequently paid at least £1,000,000 too much. The existence of the subsidy had also prevented the cheapening of the ocean postage, as would be seen by the Postmaster General's letter to the Treasury. That letter stated that the postage to America might be reduced from 1*s.* to 6*d.* a letter if the Cunard contract could be terminated, and that that contract whilst it continued cost the country £100,000 a year, whereas 6*d.* a letter would be a self-supporting rate. We had seven powerful competing steam companies, the vessels of three of which were at least as good as the Cunard's. It appeared to him (Mr. Baxter) that people were very much in the habit of sending their letters to America by the Cunard line, because they thought it was the fastest and the most regular; but that, he contended, was a great mistake. The Cunard Company had been recently employing vessels fifteen and eighteen years old, and even lately were using vessels which had not been built for the mail service. Two companies had tendered to take letters at 1*s.* an oz., and the Cunard Company did not tender. They knew they had friends in the Post Office, and although they did not tender they continued fitting out their ships with sorting rooms for the postal service. They were not mistaken; the Chancellor of the Exchequer found himself in a difficulty, and the Company obtained £80,000 for this year only. His (Mr. Baxter's) object was simply to urge the policy of not extending this arrangement. He did not wish to find fault with the conduct of the Government so far as the present year was concerned. He fully admitted the difficulty in which the right hon. Gentleman the Chancellor of the Exchequer had been placed; but he trusted the policy of not entering into such arrangements in the future would be recognized. He believed that the terms agreed to by the Post Office were not advantageous for the public service. The vessels would keep time if they got no mails at all; and if the Government had been firm they would have obtained a mail three or four times a week merely for the freight of the mail bags. He found that whilst the two Southampton companies and the Inman line were bound to keep time, there was no such condition in the Cunard contract. The Cunard got £80,000, and if the price of coals rose £40,000 more, making £120,000, whilst the other companies would have done the work for £35,000. The disposition which had been so frequently shown to forward the Cunard Company had given rise to some strange suspicions; and he had seen, in an article in a leading American journal, the assertion that it was evident the recent postal arrangement between America and England ought to have been concluded with the Cunard Company, and not with the Post Office, since the interest of that company had been successfully exerted to prevent notice being given of the intention of the Government to terminate the arrangements. Referring to a letter by the Postmaster General on the subject, he stated that it was full of inaccuracies, and contained whole paragraphs pleading the cause of the Cunard Company with as much spirit as if the noble Duke (the Duke of Montrose) had been a shareholder in the company. He called attention to the subject, because he felt that unless some limit was put to the granting of subsidies there would be no end to the demands on the public purse. He urged the Government to accede to his Resolution, which would assimilate our practice in this respect to that which prevailed in America. It would have the effect of putting an end to solicitations for special grants of the public money, and would strengthen the hands of Government in the matter of postal contracts in all time to come.

Mr. AYRTON seconded the Amendment, urging the Chancellor of the Exchequer to take the matter seriously into consideration, and give the assurance asked for by the hon. Member for Montrose.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, no Postal Subsidies in the form of a fixed payment, and not dependent on the number of letters and newspapers carried, should be granted where ordinary traffic supports several lines of passenger steamers, as is the case between this Country and the United States of America,"—(*Mr. Baxter,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. SCLATER-BOOTH had no complaint to make of the mode in which the hon. Member for Montrose (Mr. Baxter) had introduced this subject; indeed, he was willing to admit that the hands of the Government were strengthened by its discussion in the House of Commons. The Select Committee on Postal Contracts had stated as their opinion that large subsidies might be dispensed with in future, and it might be said that they had been already dispensed with in the case now under consideration, because the subsidy which had been promised to the Cunard Company for the current year was very small as compared with former subsidies, and from the Estimates made it did not appear to be much in excess of the postal charges of other steam lines. Putting that aside, he reminded the hon. Member that the Committee expressed an opinion that, in all such cases, very much must of necessity be left to the discretion of the Government. Remarks of that kind occurred throughout the whole of their Report, in which they stated that they shrank from tying the hands of the Government by passing express resolutions on the matter. He would urge the hon. Member for Montrose to be satisfied with having stated his views. He assured him not only that views similar to those he had expressed had been taken into consideration in the past, but that due weight would be given to them in the future. He went further, and said that the intention of the Government and Post Office authorities, as the correspondence he had referred to clearly proved, was to put an end to subsidizing lines of steamers, and to establish free trade in the carriage of letters. Referring to another point, he said that no doubt it would be a very desirable thing to have daily postal communication with the United States; but it would be apparent to every one that a daily despatch would be of very little use unless it could be insured that the letters would arrive in the order in which they had been sent. The Government had recently received tenders with a view to obtain four mails a week between this country and America; but one of the tenders was, on the face of it, useless, because the letters which the person making the tender proposed to set out with on a Thursday would not arrive in the United States until after the letters which had been despatched on Friday. There was no use in trying to rest our postal arrangements on principles of Free Trade, unless we had some hold over the companies, and were able to put terms upon them, and make arrangements for the delivery as well as the starting of the mails. That was one of the difficulties which was found very serious by the Government when they endeavoured to carry out the recommendations of the Committee on Postal Contracts, which they have been, and still were, very desirous of giving effect to. At the same time, if a fixed payment could be arranged, which would be no more than a company would actually receive under a Free Trade system, although in one sense a subsidy, it would not be such a subsidy as that to which the Committee on Postal Contracts had very properly objected. He therefore contended that the country was already reaping the advantage of that system. All that he deprecated was that the House should pass a Resolution which would render it impossible for the Government, which had now the experience of those systems working side by side, to take advantage of that experience, and might in future years render it impracticable for them to make even a more beneficial arrangement than that recommended by the Committee. The present system had been in operation only two months and a half, and that was too soon for any statement as to results; but the anticipated increase in the amount of correspondence so far was beginning to be realized, and in the course of a short time it might very possibly turn out that the payments to the Messrs. Cunard would not be so great as what would be received for the sea postage of the letters. That was still an open question. But let it be remembered that the payment was made for this year, and this year only; and the Post Office authorities in dealing with the question for the future would have the advantge not only of experience, but also of competition. He would say, in conclusion, that he hoped the hon. Member would not think it necessary to divide the House on the present occasion.

Mr. DUNLOP said, that as Chairman of the Committee on the Postal Service, he was very far from being satisfied with the statement of the Secretary of the Treasury respecting the mode of carrying out their recommendation. Nothing was more clear to the Committee than that the payment of the postage rate for letters was quite ample remuneration for the carriage. There was no necessity whatever for a subsidy, the service might be very well done without any. He hoped they would have some more decided assurance that an end would be put to the system of extravagance and favouritism which the Committee condemned.

Mr. STANSFELD said, he hoped that a more distinct assurance would be given by the Government with regard to future contracts. The Secretary to the Treasury met the statement of the Member for Montrose (Mr. Baxter) very fairly as far as he went, but he had told the House nothing specific about the terms of the contract that would have to be entered into at the expiration of the present year, nor did he seem to appreciate the views advanced by the Member for Montrose, which were of great weight, and had been the views of the Treasury and the Post Office for the last ten or eleven years. It was only by the accident of delay that the Post Office found themselves in the position with reference to Messrs. Cunard and Co. that they now occupied. In November, 1857, the Duke of Argyll, who was Postmaster General, proposed to the Treasury to carry out this principle; but in 1858 there was a change of Government, and the Cunard contract was renewed for a period of ten years, which had just expired. In 1866 Lord Stanley of Alderley, then Postmaster General, in conjunction with his hon. Friend the Member for Pontefract (Mr. Childers), then Secretary to the Treasury, agreed to adopt the policy now propounded by the Member for Montrose; and, in a letter dated the 8th of February, the noble Lord expressed the opinion that, if the contract had been allowed to terminate, it was highly probable that instead of an annual loss to the country of £100,000, tenders would have been received from parties willing to carry the mails between this country and New York for the amount of the sea postage, and went on to say—

> "I entertain a hope that if this service be now advertised the tenders for it will show that so large a reduction may be made in its cost as not only to render the service self-supporting, but to make it practicable considerably to reduce the rate of postage to the United States."

The Treasury agreed to give notice to terminate the contract, but, on the 26th of April, Lord Stanley of Alderley again wrote, referring to the new postal convention with the United States, and stating that the proposed reduction from 1*s.* to 6*d.* per half ounce, which had been approved of by the United States Government would be delayed till the contract with Messrs. Cunard had terminated, owing to the loss which would otherwise fall upon this country. The noble Duke who was now at the head of the Post Office, in July, 1867, after an interval of more than twelve months adopted, the view of his predecessors, and issued conditions of contract upon the basis of their proposals, which also received the assent of the Treasury. But three months afterwards, and within two months of the termination of the contract, the Postmaster General found himself in difficulties, owing to the determination of Messrs. Cunard not to tender for the conveyance of the Saturday mail upon the terms proposed. In a letter of the 24th of October, 1867, the Postmaster General informed the Treasury of the tenders made by certain companies, and that Messrs. Cunard had declined to make one on the prescribed conditions. The Postmaster General said, he presumed that they had declined to do so—

> "In the belief that if they stood aloof any arrangement that might be based on those conditions must break down, and that when it had broken down they would be able to make their own terms with the Department."

However, in the same letter, the noble Duke entered into a long calculation to show that the terms proposed by Messrs. Cunard and Co. for a fixed subsidy, would, practically speaking, be a contract as profitable to the public as the payment of them by the ocean postage. But that calculation was based on the hypothesis that the United States would continue to pay the ocean postage on their letters homeward. On the 26th of November the Postmaster General discovered that the United States had been able to make a better bargain than that, and to have the homeward mails and letters carried for less than the ocean postage. The Postmaster General found that this profitable arrangement to the United States would result in a loss to this country of £15,000. He appealed to the good feeling of Cunard and Co., and opened negotiations with them for the purpose of entering into a new contract, beginning by the payment of £75,000 a year—which it was believed would at once be met by the ocean postage—and that it should gradually increase at the rate of 5 per cent until it should amount to £122,000; and it was arranged that it should be a ten years' contract. But, fortunately, the Chancellor of the Exchequer came to the aid of the public and of the Post Office authorities. He put himself in personal communication with Messrs. Cunard, and made a better bargain, by which they arranged to carry the mails for £80,000 for one year, and one year only. The Chancellor of the Exchequer would, perhaps, afford them a clear explanation of the policy they intended to carry out in connection with this new contract entered into with Cunard and Co. He thought the Chancellor of the Exchequer would have some difficulty in showing that the terms which Messrs. Cunard originally preferred so much to ocean postage that they declined to tender if ocean postage terms alone were offered, now that the Postmaster General had fallen back upon them, were both economical and advantageous to the public. He found no fault with the Cunard Company, whose business it was to make the best terms they could for themselves; he was prepared to admit that having placed the Post Office in a difficulty they had behaved handsomely. In accepting the contract on the 3rd of December, Messrs. Cunard wrote—

> "That they had agreed to the exceptional terms adopted to meet the exigencies of the public service, and to relieve the Government from a difficulty which had arisen owing to the American Post Office not having accepted the arrangements proposed by the Government for the carriage of the homeward mails, and which had prevented the Government from completing their agreement for a more permanent service."

The Government ought not to have allowed the company to assume such a position as that, and its concession to them might be prejudicial to the public in subsequent negotiations.

The CHANCELLOR of the EXCHEQUER did not think there was any real difference of opinion between the Government and the hon. Gentleman who brought forward the Motion. The point taken by the Secretary to the Treasury was that it was undesirable, by the general Resolution proposed, to fetter the Government under all contingencies that might happen. It was a mistake to suppose that sea postage was not a subsidy. A subsidy might be given in the shape of sea postage or an equivalent to sea postage, or it might be in the shape of a sum much exceeding the amount that the sea postage would come to. The hon. Gentleman who brought forward the Motion, and those who supported him, must admit that, in the arrangement made this year, the Government had given up entirely the notion of granting subsidies beyond what the sea postage would come to. He acknowledged that the arrangement was faulty, because it was wrong that the companies carrying mails to America should be under different terms with the Government; and it was only under the circumstance of the moment that this contract was entered into for one year. The Government was in a position of considerable difficulty at the time, because there was no offer made by any company to carry the Saturday mails, by which the mercantile community of the metropolis had been in the habit for many years of sending the greater part of their correspondence to America, and they saw no way out of the difficulty, except by making an arrangement with Messrs. Cunard. According to the calculation of the Post Office the sum eventually agreed to be given exceeded by only £1,500 the sea postage they were likely to earn, and it could not, therefore, be contended that, in making this arrangement, the Government were continuing the system of large subsidies condemned by the Committee on Packet and Telegraph Contracts. But the Motion of the hon. Member went far beyond the question of the American contract; for it would apply to any case that might arise where there might be a great amount of British correspondence to be carried, and might fetter seriously the hands of the Government in certain exigencies. The Select Committee, in their report, said it would be impossible to lay down any positive rules. A Royal Commission had recommended the adoption of certain positive limitations; but these failed to obtain the concurrence of successive Governments. The Select Committee said they had reason to believe that the opinions of the Commissioners themselves had been modified by experience, and they felt that very much must be left to the discretion of the Government, to act as they thought best under the circumstances of each case. It would be a great mistake not to follow that advice, and he urged the House to abstain from laying down such definite rules as might fetter the Government to the prejudice of the public service. The object of the Government was to secure for the public a regular, speedy, and efficient postal service, but if it so happened that this could not be obtained upon ordinary principles at a particular moment, were the Government to be precluded from making special arrangements, with a view of obtaining for the public such accommodation as was actually required? In making last year the arrangement for which he was responsible, he had shown no favour for one company or another; but was animated with the single desire to secure for the public on the best terms that which they stood in need of. But he had been told by the Post Office officials that, during the short time this arrangement had been in operation, not one steamer of the company receiving the fixed payment had been caught up by a steamer starting subsequently; but in the case of other companies carrying mails this had frequently happened. Under these circumstances the House should hesitate before finally deciding that in no case should a contract of this nature be made. The present system had only been in force a little over two months, so that its merits had not yet been fairly tested, and it would be undesirable at that moment to lay down any positive rule with regard to all postal contracts. One company might have very fast vessels, and another very slow ones; and he thought it would be undesirable, where one line was proved to be good and the other very indifferent, to divide our favours equally. He was desirous to see the postal service across the Atlantic self-supporting, and it was in that spirit that future contracts would be entered into; but it would not be advantageous to fetter the hands of the Government by laying down such a rule as that proposed by the hon. Member.

Mr. THOMAS CAVE said, to the spirit of the Resolution he had nothing to object; but he must protest against some of the statements of the hon. Member for Montrose as most unfair to the Cunard Company. He (Mr. T. Cave) had crossed the Atlantic three times in the Cunard boats. He did not know the owners, nor was he a shareholder in the company, but when he heard the hon. Member say that the Cunard Company were employing old boats, he could not help replying that they had the finest fleet in the world, that their average passages were quicker than those of the Inman or any other line, and that during twenty-five years not a single passenger had lost his life in these boats. The hon. Member for Montrose had said the letter of the Postmaster General (the Duke of Montrose) was full of inaccuracies, but he had failed to expose one of them. With regard to the feeling in America, he (Mr. T. Cave), from his recent experience in that country, believed it to be in favour of the Cunard line, so far as speed and safety were concerned. The House should remember too, that, owing to the grant of this subsidy, the Government, during the Crimean war, had at its command a magnificent fleet of transports, and which otherwise they would not have possessed. If the hon. Member should press his Amendment to a Division, he should certainly vote against it, if only to mark his sense of the injustice done to the Cunard Company in the opening speech of the hon. Member for Montrose.

Mr. Alderman LUSK said, the Government had no right to shelter themselves under the plea that they were in a difficulty; for if they did not advertise for tenders till the last moment, they were sure to be in a difficulty. The mails should if possible be self-supporting; and the best way of making them self-supporting was to leave the contract open, and if there was a Division he should support the Amendment.

Mr. GRAVES said, that, as regarded the past, the more convenient course would have been to object to the contract during the month in which, according to the rule of the House, it remained on the table before confirmation; and, looking at the future, it would be unwise to bind the House by an abstract Resolution like that proposed. Under such a Resolution the Government would be debarred from continuing the subsidy to the West Indies, Brazil, Australia, or in fact to any country which had a second line of steam traffic. For this he did not believe the House or the country was prepared. The House might, if it thought fit, increase its power over the Department, and provide that before any contract was signed, and before the Treasury was committed to it, it should come under the review of the House, who would then assume the responsibility of the arrangement. But each case should be dealt with as it arose, and there should be no abstract Resolution.

Mr. BRIGHT said, he had listened with pleasure to the remarks of the Chancellor of the Exchequer; for, if he could understand English, there was no essential difference between the view of the right hon. Gentleman and that of the hon. Member for Montrose (Mr. Baxter). After such an assurance, which would no doubt guide the right hon. Gentleman if he should hold office long enough to make any other postal arrangements, the House might rely upon him to act according to the rule he had laid down, and he would also have before him the prevailing sentiment of the House that the policy of the past should be reviewed, and in fact abandoned, and that there should be more regard to economy in entering into these contracts than had prevailed heretofore. The statement of the Chancellor of the Exchequer having been to a great degree satisfactory, he should recommend his hon. Friend to withdraw the Motion.

Amendment, by leave, *withdrawn.*

AFFAIRS OF CEYLON.

OBSERVATIONS.

MR. GORST said, he wished to call the attention of the House to a Petition presented to Her Majesty by inhabitants of the Colony of Ceylon, and to a Despatch of the Governor of Ceylon enclosing the same. The Papers would disclose a very depressed state of things in the colony and a very angry feeling against the Government; a refusal of redress by the Government, and an apparent determination on the part of the Governor and other persons to misunderstand the precise complaint of the colonists. Now, considering the great commercial importance of Ceylon, and its position in what some persons called the most central point of our Eastern Empire, discontent there was extremely inconvenient, if not dangerous. He did not ask the House to come to any formal Resolution on the subject, but rather to act as mediators between the colonists and the Government, inducing the colonists, on the one hand, to withdraw any demand which they considered unreasonable, and, on the other hand, inducing the Government to accede to those moderate requests which met with the approval of the House. The grievances of the colonists had arisen out of the military expenditure in Ceylon. Discussions had taken place as to the number of troops which should be maintained there, the number that was necessary for local and Imperial purposes, the proportion of charge which should be borne by the colonial and Imperial Governments respectively, and the question whether the revenue of the colony could bear the burden put upon it without serious injury. He would not ask the House to enter into these questions, which, indeed, they had not the requisite local knowledge to follow and discuss. The whole question might be settled in ten minutes by two or three reasonable men on each side in the colony; but here it might be discussed for days without any satisfactory result being arrived at. For the present, however, it was settled, although not in the best way, and the colonists were less concerned about that settlement than about the way it had been arrived at. The original question had developed into the wider one of, whether the colony was to be governed in Downing Street or at Ceylon? The hon. Member, having traced the colonial Government of Ceylon from the year 1833, when a Legislative Council was appointed consisting of ten official and six non-official members, down to the year 1848, proceeded to give an account of the rise and progress of the quarrel between the Government and the colonists, with the view of asking whether the demands of the colonists were in themselves reasonable or unreasonable. He referred to the despatch of Earl Grey in that year, in which the noble Earl said—

> "I consider that the time has now come when it would be advisable to extend the control of the Legislative Council to the whole annual expenditure."

But the subsequent conduct of the Home Government had been quite at variance with the spirit of the despatch, and the control of the Council was reduced to a nullity. What he should like to know was whether the present Government endorsed Earl Grey's views or not? The despatch was sent out by Earl Grey, as Colonial Secretary, in 1848. His successor, the right hon. Member for Oxford (Mr. Cardwell) in 1859, directed the passing of an Ordinance permanently charging upon the revenue of the colony fixed expenses which had been incurred, without having been sanctioned by the Legislative Council. In accordance with the doctrines thus laid down, a sum of £15,000 was first applied, by order of the Secretary of State, and without having been brought under the notice of the Legislative Council, to the increase of the military allowances. In 1862 the Committee on Colonial Military Expenditure drew the distinction between what should be considered Imperial and what colonial items of expenditure; but in 1864, without previous communication or inquiry, an order was sent out to the Legislative Council to increase their contribution to the military expenditure from £30,000 to £54,000. Ten of the sixteen members of Council, being officials, considered it their duty to vote according to orders, and that sum, which the Colonial Legislature had actually allocated to the improvement of public works, was arbitrarily diverted into another channel. For the sake of testing the question, however, an item of £1,000 was not voted. Peremptory orders were then received from England that the decision of the Legislative Council was to be reversed and the money paid, and it was paid, the official Members themselves protesting that the Legislative Council was unnecessarily compelled to eat dirt, seeing that the Governor might have made the payment on his own authority. The hon. Member proceeded to quote numerous passages from a Memorandum written by the right hon. Gentleman the Member for the City of Oxford (Mr. Cardwell) at the time he held the office of Colonial Secretary. It had been stated that the regulations for the future payments by the Ceylon Legislature had been prepared in the office in Downing Street; and this was the very circumstance which had caused so much dissatisfaction in the colony, because it was deemed that a matter of that kind ought to be settled in the colony itself, and not in this country. It appeared that the Secretary of State had decided that the colony should pay nothing towards the maintenance of the military establishments; but, in more recent times, an attempt had been made to station troops at Galle, in the hope that the colony might build a barrack. Three Secretaries of State had expressed as many different opinions upon the subject, and the present Governor, Sir Hercules Robinson, said that to build works at an outlying station like Galle, whilst the central point of Colombo was left undefended, would be an act of reckless folly. The fact was, the question ought to have been settled, not now in the office at home, but in the year 1864 in the colony itself. With regard to Trincomalee, the opinion expressed by a Commission which sat on the subject was at direct variance with that of the Colonial Secretary. The intention of the Government, as he gathered from the various Memorandums on the subject, was to discover the utmost possible amount which could be screwed out of the Cingalese; and this was fixed at £170,000. There were serious complaints against the police, the administration of justice, and the state of education in the colony. An official Report on the affairs of Ceylon stated that the amount sacrificed through incompetent management of public works was from 5 to 10 per cent of the total amount expended upon them. The Crown had relinquished nothing at all. At the present moment the Council was composed of ten official members against six unofficial, the ten officials being obliged to vote strictly in accordance with instructions from the Secretary of State. This, in fact, amounted to a re-instatement of the prerogative of the Secretary of State in administrative matters, which was formally abandoned in the year 1864. The consequence was that a Ceylon league had been formed, and the people of Ceylon now appealed to the Imperial Parliament. The hon. Member for Stockport (Mr. Watkin) had given notice of a Motion for the appointment of a Committee to inquire into their grievances. Therefore, whether he (Mr. Gorst) was or was not wrong as to the grounds of complaint, there could be no doubt that discontent did exist. A Committee of the House had laid down the principle that the Imperial Revenues should be charged with all expenditure not incurred for purely colonial purposes. How did Her Majesty's Government give effect to that principle in the case of Ceylon? They stated in the Memorandum that no expenditure had been incurred in Ceylon for years except for colonial purposes. But what was stated by the General Officer in command in the colony? Writing on the subject in 1865, he pointed out that Ceylon might be regarded as a central part of the British Colonial Empire, as from thence troops could be readily despatched to India, to Australia, New Zealand, Mauritius, the Cape of Good Hope, the Mediterranean, and so on; and further it was stated, and could not be denied, that the harbour which had been constructed was most important to Imperial interests. The expense of its maintenance and of its defence by troops was, therefore, not a matter of purely local, but of Imperial, import. The colonists were, however, ready to pay the £170,000 a year which they were required to pay towards the military expenditure of the colony. They did not ask, as was stated by the Governor in forwarding their memorials, for a representative Government. There was not a word in any of their petitions that could be construed into conveying such a demand, while, on the other hand, they had repeatedly repudiated the idea that they made it. All they asked was that they might have in the Council as many non-official as official members, and it appeared that this was the single colony in the whole list which had so large a proportion of officials in its council. The existence of a Legislative Council in the colony induced people to think that the Governor and the Secretary of State were checked in the civil expenditure. But it was no such thing. The officials on the Legislative Council were instructed from Downing Street; they were told how they were to vote; and the result was that the Governor and the Secretary of State might do as they liked in regard of the civil expenditure. He quite admitted that the Government should reserve to itself a power in the last resort;

but it was one thing to have the votes of a Legislative Council under the direct control of the Government, and another and quite a different thing to have independent action in the first instance, a power being reserved to the Government to act independently of the Council if it appeared to the Executive that it was necessary to do so. He wished to ask the Under Secretary of State for the Colonies, Whether the Government will not do something to meet the wishes of the people of Ceylon ?

MR. WATKIN said, he had no personal interest in Ceylon; but he knew several persons who had invested their money there, and were committed to the industry of the colony. These persons would thank the hon. Member for Cambridge (Mr. Gorst) for the manner in which he had brought forward this question, and stated one portion of their grievances. He should not trouble the House with many remarks upon the present occasion, as he had given Notice to move for the appointment of a Committee to consider the whole question of Ceylon, and when he brought forward his Motion, he should show cause why the present state of things should be altered seriously, and at a very early period. The question of his hon. Friend the Member for Cambridge really came to this: whether the Memorial presented from Ceylon made statement of a substantial grievance, and whether the grievance had received the respectful and anxious attention, which statements of grievances ought to receive when they came from distant possessions at the hands of the House and of the Government ? He asked the right hon. Gentleman the Under-Secretary for the Colonies a Question last year as to this Memorial, which the hon. Member for Cambridge had stated was signed by the representatives of the wealth, respectability, industry, and indeed all that was worthy of consideration in the island of Ceylon. The right hon. Gentleman in reply said that a Memorial had been received, signed by certain native Cingalese, requesting that Ceylon might be changed to a Crown colony, with representative institutions, and a reply had been sent to the effect that such a request was wholly inadmissible, for the reason that Ceylon was much more Indian than colonial. The right hon. Gentleman also said he believed a league had been formed in the colony, in order to secure to local people the spending of the whole of the revenues of the island, leaving it to English taxpayers to pay the whole expense of the military defences of Ceylon. He (Mr. Watkin) did not think the right hon. Gentleman would give the same answer that night; but that he would admit the fact that the Memorial was as represented by the hon. Member for Cambridge, and that it deserved every consideration. The House, in his opinion, ought to consider whether the time had not come when the Colonial Office should no longer retain in its own hands all the appointments in Ceylon and the entire control over the expenditure of the colony—now £1,000,000 annually—without giving an account to anyone or whether it should be left to people on the spot, who were much better able to deal with it, and who indeed had a right to deal with it. Earl Grey had promised the people of Ceylon that they should have some semblance of a representative Government; and the Council there must be altogether abolished or such a participation must be allowed it in the power of levying taxes and expending the money as would give confidence to the taxpayers. The right hon. Gentleman the Member for Oxford (Mr. Cardwell) was one of those who was disposed to consider Earl Grey a high authority on Colonial matters; but what was the conduct of the right hon. Gentleman when Secretary of State for the Colonies ? The members of the Council of Ceylon, in the conscientious discharge of their duty, passed a vote which the right hon. Gentleman practically called upon them to reverse, not because their convictions on the subject had changed, but because, in his opinion, it was the interest of the Empire that their vote should be reversed. The Government must either dissolve the Council of Ceylon or give them such participation in the control over the affairs of the colony as would cause the taxpayers to have confidence that their interests would be protected. Under the present state of things, the Government of the Colony was eminently defective, the interests of the inhabitants were suffering, and altogether the state of things was such as to call for immediate and extensive reform. The result of the present system had been unsatisfactory. The question of education was going backward, public improvements were ceasing to be made, the police of the island was defective, and famine of a dreadful character had appeared at different times of which the House had received no official information. He believed that all these evils proceeded from the circumstance that the people on the spot were prevented from taking a moderate part in the administration of their own affairs.

MR. ADDERLEY said, that the petition from Ceylon, to which the hon. Member for Cambridge referred, had not been described by him (Mr. Adderley) as the hon. Member stated. The Petition had 2,500 signatures attached to it, of which 2,000 were Cingalese, and 500 those of Dutchmen and other Europeans. Of course a petition of this kind, coming from any colony of this country, would carry with it great weight; but he might observe that it emanated chiefly from the body of planters who, though small in numbers, were powerful in influence, and who had recently formed themselves into a league for the purpose of obtaining for themselves a stronger control over the revenues of the colony. No doubt they were an important body, and their opinions deserved all consideration. It was remarkable that these persons distrusted the Cingalese who had signed the Petition in such large numbers, and in Mr. Miller's pamphlet representing their case, the Natives were described as wholly incapable of any rational view upon a subject of political interest. What the planters asked for was full control over the local revenues by their elected representatives, freed from all dictation of the Governor. They said that they did not, as yet, ask for what was usually called representative institutions; but, in effect, they asked for a degree of popular government, which he thought the House would consider was wholly irreconcilable with the condition of an Asiatic Crown colony like Ceylon. It was absolutely impossible that anything in the nature of a representative Constitution could be given to a country which by its position, condition, population, and character was, in fact, an isolated part of India; and he had always regretted that it had been disconnected in Government from the Presidency of Madras, and made a separate Crown colony. He had been labouring for more than twenty years to give representative institutions to all British communities; but it never entered his mind to suppose that the ignorant and uneducated native population of an Indian island could furnish any materials for representative institutions. It must remain a Crown colony; and the meaning of this term was that the Governor though aided and enlightened, but certainly not controlled, by his Council, should not be controlled and relieved of his full responsibility by them. If the Council should once get the control over the Governor the Crown Government would cease to exist; or rather the Crown would be assuming a responsibility which it could not fulfil. The Council was now liberally constituted; much more so than it was at first. At first it had no financial functions whatever; but their powers in this respect had been so enormously increased that they had more than once rejected votes and successfully resisted the policy of the Government. Now, what were the grievances that made them ask for a change of Constitution? They were that the civil service had been mal-administered; that the establishments had been starved and ill-conducted; and that the expense incurred for the forces was much larger than it should be. Now, he found that the police establishment, which was formerly very inefficient, had been within the last few years entirely re-modelled; directions had been sent out to remodel the Post Office; the Public Works Department had been largely increased, and *pari passu* with the increase of the Department there had been an increase of works; and the Judicial Establishment was allowed by the petitioners themselves to be satisfactory. The Fiscal Department had been remodelled. The Education Department had been greatly increased; and to the Surveyor General's Department thirteen surveyors had been added. In 1857 the whole Civil Service expenses were £187,000; and in 1867 they were £314,000. The revenue had enormously increased, and so had the surplus in hand. This showed that the demands made had been liberally met, and left the only ground of complaint remaining—namely, the contribution paid for the military. His opinion was they paid nothing more than was just in this respect. Sir Charles M'Carthy had managed the country so well, and got so large a surplus in hand, that he thought the colony might fairly be called upon to pay a military contribution. Formerly, we paid almost all the expenses of their defence; but after the Report of the Select Committee of 1861 on the Military Expenses of the Colonies, a very different system was adopted with regard to Ceylon as well as all our other colonies. India always had paid the whole of her civil and military expenses, and why should a different principle be applied to Ceylon? The time had gone by when the House would consent that this country should pay the legitimate expenses of the colonies; and, in our best colonial days, the colonies bore the whole cost of their government and defence.

He believed that it was unprecedented in the history of any country that the metropolis of an Empire should render itself tributary to its possessions throughout the world, instead of what was much more common in history, its making those possessions tributary to its own strength and power. He did not think that the expenses of Trincomalee should be called Imperial in contradistinction to colonial because the port sheltered the British fleet. The British fleet gave gratuitous protection to British Colonies, and how could they have the face to say that the English taxpayers should also shelter them on their shores? An inquiry had been carried on by a Commission in the colony, and the conclusion they had come to was that the number of troops there could not be reduced with safety to the colony, and that therefore the contribution could not be reduced below the present requisition. From the moment that the Committee of 1861 on the military expenditure of the colonies had reported, that House had been of opinion that the colonies should be made much more largely to bear their own expenses, civil, ecclesiastical, and military. The Ceylon colonists said they did not like to be compared to India, but with the other colonies of England, and they asked to be treated by this country as her other colonies were. The other colonies were now paying for the troops sent them from England—not all, nor as much as they should, but increasingly. But when the late Colonial Secretary (Mr. Cardwell) asked the colony to advance somewhat beyond the half of their expenditure and to pay £100,000 a year—the whole being £200,000 a year — the unofficial members of the council resigned in a body. The proposition was put in the mildest way; but the greatest resentment was exhibited against this moderate demand. What they now asked for in the way of constitutional changes was greatly in advance of the demands they made a few years ago. At that time they requested that the appropriation of their money should be passed through the Legislative Council, and should not be directed simply by instructions from the Colonial Secretary at home; but what they asked now was that their Legislative Constitution should be changed; that the unofficial members should be at least equal in number to the official members; so that if the unofficial members held together the Governor would in every case have to exercise his casting vote. It was alleged that certain promises and pledges had been given to Ceylon, which, by withholding this reform, were unfulfilled. It was true that Lord Torrington, when Governor in 1847, recommended the nomination of that portion of the unofficial members of the Council which consisted of Europeans by the local Chamber of Commerce; and that Lord Grey, when Colonial Secretary in 1848, expressed a hope, which had been misrepresented as a promise, that the unofficial members should have a greater voice in the control of the revenues of the colony. But both those pledges had been kept, and it was only by their resignation in a body that the unofficial members deprived themselves of the benefit of the first. As to the control of the revenues, after the civil list, the fixed establishment, and the military expenditure—which did not amount together to the one-third of the total revenue of the colony—had been provided for, the rest was at the disposal of the colony. The largest part of the revenue was now expended without reference to the Secretary of State. The statement of the hon. Member who spoke last, as to £1,000,000 of revenue being spent at the mere discretion of the Secretary of State, was wholly at variance with facts.

Mr. WATKIN said, that what he had stated was, that the Home Government might, if they chose, control the whole revenues of Ceylon, not that they did so practically.

Mr. ADDERLEY said, the control of the balance of the revenue, amounting to nearly £750,000 sterling, really rested with the Legislative Council of the colony. It should be borne in mind that four-fifths of the population of the colony were Cingalese, and he did not believe that there were more than a few hundred European planters and merchants. What was asked for, then, was, not to increase the representation of the great mass of the population, but to narrow the representation, and place it in the hands of the planters and merchants, whose interests were not always those of the Natives. The interests of the Natives were really under the protection of the Government. What these gentlemen asked for was a narrow and controlling influence to be exercised, apart from or avoiding the Governor, by themselves in the Legislative Council. Their tendency would be to carry out works advantageous to their particular mercantile speculations, and neglect the more homely matters of irrigation and the improvement of the soil, which were the great objects to be carried out in behalf of the Natives. In support of their proposal they cited the example of Jamaica; but Jamaica had receded from the position of a colony with a representative institution. They referred also to the Mauritius, where it is true that the unofficial Members of Council predominate; but would they say that its revenues were in the same state as the revenues of Ceylon, or that its interests were as well looked after under the Constitution it had as the interests of Ceylon had been looked after? If, however, he could see his way to giving to so influential and enlightened a body of men as the merchants and planters a greater voice in the Council, to assist the Governor in what must necessarily be, to a great extent, an autocratic Government, he should be glad to do so; but to give these gentlemen the controlling power, and to leave the Governor only a casting vote, would be unjust in itself to the great body of the people, and would place the Governor in a most invidious position. The hon. Member for Stockport (Mr. Watkin) had declared his intention to move for a Committee upon the subject, but he (Mr. Adderley) could not see what further information was required. All the information which was necessary was in the possession of the House. The right hon. Gentleman concluded by denying the grievance which had been alleged as existing, and declaring that the remedy sought for was wholly inadmissible.

Mr. CARDWELL agreed with the hon. Member for Cambridge (Mr. Gorst) that all these questions about Ceylon derived their origin from the Select Committee of 1862, which reported that a much larger portion of the expenditure for the military defence of the colonies ought to be defrayed from local and not from Imperial resources. Not long afterwards an hon. Member brought forward a practical proposal that Ceylon should again become, what it originally was, a part of the Empire of India, which defrayed the whole of its own expenditure. When the news of this proposal reached Ceylon, it was received with the greatest consternation, and the strongest remonstrances were made against it. The hon. Member (Mr. Gorst) was probably not aware of the view taken by the inhabitants of the colony when they were asked to be transferred from the Colonial Office and to form part of the Government of India. Three years ago he (Mr. Cardwell) had laid the Papers on the table. They did not then describe themselves as subject to a tyrannical and unjust system of government; nor did they represent their condition in such dismal language as had been referred to by the hon. Member. The Governor of Ceylon did not think it became him to move in the matter; but an unofficial Member of the Council took up the subject—one of those, no doubt, who were parties to the present complaint, and an Address was agreed to by the Legislative Council, and sent to England. They said that any such change as had been proposed would impede the progress and disturb the peace and prosperity of the colony. They stated that they were well satisfied with the existing form of government, which secured a fair representation of the various interests of the colony. They spoke of the marked progress of the colony, and of the peace and good order which prevailed, and which strongly contrasted with its former troubled state. This change, they said, could only be attributed to the wise and liberal measures of the Home Government, and to the judicious measures of the local administration, whereby enterprize had been stimulated, and Ceylon had been raised to the rank of one of Her Majesty's most important colonies. It was not, however, possible for the House to disregard the Report of its own Committee, and not to enter upon the question how much of the military expenditure of the colony was to be defrayed by the Imperial Government, and how much by the colony itself. A correspondence had been going on between the Colonial Office and the War Office on this subject when he came into office, and a few days afterwards Sir Charles M'Carthy, who then arrived at home on sick leave, told him that a settlement acceptable to the colony could, in his opinion, easily be made. The principle having been laid down that Ceylon, like our other Indian colony, should defray the whole of its expenditure, it was met by the immediate resignation of the whole body of the unofficial members. The Colonial Office accepted their resignations, and found no difficulty in re-constituting the Legislative Council. A Military Commission of Inquiry had since been sitting, and, although its Report was not yet laid on the table, he believed that an arrangement had been made, in conformity with the demand made upon the colony to support its own establishments, which would be satisfactory to the island, and form a by no means oppressive burden upon its growing and improving revenue. If he had yielded to the request made to him, and in deference to the Councillors of Ceylon had abstained from transferring to the revenues of the island the cost of its defence, he would have allowed these gentlemen to control not only the expenditure of Ceylon, but also that of the United Kingdom. And who were those who made this request? Sir Hercules Robinson, the Governor, stated in his despatch that the native population of Ceylon amounted to 2,336,000 persons. The Europeans only numbered 3,000. The constituents of the European population, wives and families included, were:—Military and civil servants, 1,750; planters, professional men, merchants, and their *employés*, tradesmen, artizans, &c., 1,250. And by how many of these Europeans had the petition been signed? By 186 persons, comprising among them only 11 merchants and 53 proprietors of coffee estates. They had much better ask to form part of the Indian Government than to continue a colony, under a responsible Minister, who had no power to carry into effect the measures necessary for the government of the island. He believed that the re-constitution of the Legislative Council as proposed in the Petition was not desired by the great majority of the residents possessing property and intelligence, and would not tend to the better government of the colony. These people, to do them justice, expressly disclaimed asking for representative institutions. Well, what did they want? They wanted a return to the system of Lord Torrington, by which the unofficial Members of the Council were selected on the recommendation of the Chamber of Commerce at Colombo, and the Planters' Association at Kandy. He thought that the question as to what the Legislative Council should be might fairly be considered by the Government at home, with the assistance of the very able Governor of Ceylon. The use—and it was a very important use—of a Legislative Council was, that the people whose property and capital constituted the wealth of Ceylon should be entitled to have every item of the colonial expenditure fully discussed, and that they should have the right of appealing to the House of Commons if wrong decisions were arrived at with regard to that expenditure. But it would not be just to the numerous native population if an absolute control over them and their revenues were given to a body which it was impossible for them to consider as representing them. He certainly thought it would be right for the Government, in conjunction with Sir Hercules Robinson, to popularize that body as far as they thought judicious; but while the Government retained responsibility it was absolutely necessary that they should also retain power. The hon. Member for Stockport was mistaken in supposing that while he (Mr. Cardwell) was at the Colonial Office he compelled the Members of the Legislative Council to reverse their votes. He required that the accustomed payment should be made to those who were entitled to expect it; but left it to the discretion of the Council whether the charge should be imposed by their vote, or by the direction of the Secretary of State.

NAVY—THE ROYAL DOCKYARDS.

OBSERVATIONS.

MR. GRAVES said, he rose to call attention to the Report of the Select Committee on Dockyards, and to move, That in the opinion of this House the number of Dockyards ought to be diminished. He said that as the question was one of policy rather than of detail, he thought it better to make it the subject of a separate Motion, rather than bring the subject forward on the Estimates. Various suggestions had been made from time to time as to the possibility of reducing our Dockyard expenditure, and in 1861 and 1864 Reports were presented from two Committees, who had taken the matter into consideration; but until now no direct Motion, dealing with the question, had been brought under the notice of the House. The time, however, had arrived when the House should endeavour to see whether it was not possible to effect some reduction in our large and increasing expenditure on Dockyards. He was not an advocate for an injudicious economy in connection with naval matters, since he regarded the efficiency of our fleet as being necessary to our safety. The Report of the Committee of 1861, founded as it was upon the evidence of many distinguished naval authorities, was entitled to great weight, and he would read three paragraphs from it which bore strongly on the point he was about to discuss. Those paragraphs were to the effect that the public Dockyards did not afford sufficient space in the floating basins and in the dry docks for the larger ships, and that much delay, as well as risk, expense, and inconvenience was incurred in consequence; that this want had mainly resulted from the continued and rapid increase in the dimensions of our ships; and that this state of things would render it impossible to equip a fleet rapidly and safely if one were hastily required. A large extension of Chatham was deemed necessary to meet these great wants. Following upon that Report was another, presented by the Committee of 1864, in which they recommended further extensions at Portsmouth, the estimated cost of which, added to the Chatham and Keyham extensions, amounted to £4,379,000, and those extensions were now to a great extent in progress; and the Committee suggested, in order to meet this heavy outlay, and because the smaller yards were unsuitable and unnecessary, that Deptford, Woolwich, and Pembroke Dockyards should be suppressed and disposed of. If that were effected, the money arising therefrom could be applied in the concentration of our arsenals and to the extension of our principal Dockyards — namely, Chatham, Portsmouth, and Devonport. Now the area of all the yards was, in round numbers, 900 acres. That of Deptford, exclusive of the victualling yard, was thirty-eight acres, of Woolwich fifty-six, of Sheerness fifty-seven, and of Pembroke seventy-six; making together 227 acres, or two-thirds of what would be the area of Chatham alone when the extensions were completed. He was satisfied that the cost of maintaining these four yards was entirely out of proportion to the work done in them, and that they might be given up without the slightest injury to our naval resources. He had not been able to go through the accounts in detail, owing to the endless variety of heads under which the expenditure was embraced, but he would select a few of the principal items as illustrating the cost of these establishments. Taking salaries, police, repairs, rates, gas, and the 7 per cent added for latent superannuations, Deptford cost in the year 1867-8 for simple management £20,000; Woolwich, £40,000; Sheerness, £34,000; and Pembroke, £30,000; or in all £124,000. Then there was the expense of steam-tugs, lighters, barges, and every description of small craft, which in all the yards amounted, as stated last year by the noble Lord the Secretary to the Admiralty (Lord Henry Lennox), to £107,000 or £110,000, and of this sum at least £40,000 was probably applicable to the four yards to which he was referring. The removal of stores was another serious item. He would take Woolwich as an example, and he found that in the year 1866-7 about 7,000 tons of stores were sent from Woolwich to the various yards on the river and round the coast, at a cost of about 20*s.* per ton, though he had no doubt a private contractor would undertake the work at half the price; in fact, he had been informed that offers even below this line had been received by the Admiralty. Then, if we considered the coal establishments which formed a portion of the Dockyard system, we would find the same extravagance. At Sheerness the passing of about 9,000 tons of coal through the depôts cost £6,000 or £7,000, or about 14*s.* per ton, which, added to the original price, made the cost of the coals equal to what the Government paid for coals delivered at Malta. These examples showed the indirect expenditure at the yards. He had thought it right to visit the yards before bringing the subject forward, and he had been surprised at the excessive amount of stores of all kinds kept in stock—timber especially. Through the facilities afforded him by the noble Lord and the Accountant General he had been able to ascertain the issues of stores at the various yards, and to compare them with the quantities on hand, which appeared to him to be out of all proportion to the requirements. In the four yards alone there was at the end of the year 1866 stock to the amount of about £1,600,000, and the aggregate amount in all the yards was £4,690,000. The stores of timber were worth £1,563,000, the year's issues being £225,000; the anchors, £182,000, the issues being £7,500; the cables and chains of all sorts, £150,000, the issues being £24,747; the canvas, £61,000, the issues being £4,650; and the cordage £210,000, the issues being £79,000. The issues to factories, sawpits, mills, and shops for conversion, were not included, but these could not make any material alteration in the results. In round numbers the issues of the year amounted in value to £1,150,000, while the stocks in stores were, as he had stated, £4,690,000. He was unable to get the detailed issues to ships or yards on Foreign Stations; but the gross issue was £124,000, and this he dealt with by adding 10 per cent to each of the home issues, which amounted to £1,006,000, by a Return furnished him by the Accountant General. He thought these figures showed that the quantity of stores kept in the yards was excessive. Not only would the closing of three or four yards cause a saving in this respect; but it would involve a reduction in the staff of the Admiralty itself, which was now so overweighted that it could not give that close attention to the details of Dockyard expenditure which was essential to careful management. It was difficult to say what the saving in this respect would be; but, if faithfully carried out, he would venture to state it would be considerable. Turning to the new work done in the yards, it would also appear to be quite disproportioned to the cost of management. He found that at Deptford the amount of tonnage to be built in the coming year was 1,628; at Woolwich, 1,937 ; at Sheerness, 372 ; and at Pembroke, 2,911 ; making in all 6,848 tons. Now, he believed there were private establishments which, irrespective of ordinary shipping, built more ironclads in a year than these four yards put together. If the cost of building were less in national than in private establishments there might be a reason for keeping them up, but the very reverse was the fact. Upon this point he had a good opportunity of forming an opinion, from the contracts that were entered into for the building of gunboats this year, eight of which were built in private yards and eight in our Dockyards. He found that the price of those built by private contract averaged £25 per ton, while those built in our Dockyards averaged £33 per ton, without the establishment or indirect charges. These charges had been officially estimated at 51 per cent, but believing that estimate to be excessive, he would reduce it by one-half, which would give a cost of £41 per ton for the gunboats built in our Dockyards, as against £25 per ton for those built in the private yards. It had been said that the contracts taken by the owners of private yards had been completed at a loss, but a private firm at Glasgow—the builder of one of these gunboats—wrote to him—

> "Sir,—In reply to your inquiry regarding the *Composition* gunboat now building for the Navy, we beg to say that we would gladly undertake to build a dozen such boats at the same price."

The price paid to this firm being £25 15*s.* per ton. Then, again, he noticed that there was a great disparity between the cost of the vessels built in one Dockyard, and the vessels built in another. An unarmoured vessel, for instance, the *Niobe*, of 1,061 tons built at Deptford, had cost £68,000, while the *Daphne*, a sister vessel built at Pembroke, cost £56,000. This might give rise to the impression that building was cheaper at Pembroke than at Deptford, and possibly it might be so, but the *Amazon*, another sister vessel, identical in all respects, built at Woolwich, appeared to have cost £82,000. Looking, then, at the question from all these points of view, and many more which he might urge, he had come to the conclusion that if we could succeed in closing these yards to which he had alluded, there would be a saving to the country of more than £250,000 a year, the cost of a first-class ironclad, and that saving, he also believed, could be effected without in the slightest degree impairing the naval resources of the country. The great transition which had of late years taken place in the construction of vessels, the increase in their size, and the change from wood to iron, had gone far towards placing the large private firms of the country on an equal footing with Government establishments, and in support of this he need only refer to the statement made the other evening by the First Lord of the Admiralty, on the authority of the Controller of the Navy, that ships could be built in private yards in all respects equal to those built in the public yards. [Mr. CORRY : Iron vessels.] He referred to iron vessels. Then the size of these vessels rendered our present small docks unsuitable. Out of our thirty-eight ironclads only ten could enter Woolwich. The want of water at Pembroke rendered that port inaccessible to our larger ships, and from the hardness of the rock at the entrance the Controller General considers it would be difficult to provide additional depth for the graving docks. Chatham, it was true, had received great extensions, was admirably protected, and easy of access to ships of any size under steam. The smaller vessels, in case of distress, would seek the nearest port in coming from the Baltic, the probable scene of their operations, and there was scarcely a port on the East Coast which would not afford every facility for the refitting of the smaller vessels. Chatham he regarded as the only port suited for our large vessels to return to in case of disaster in the North Sea ; Portsmouth and Devonport would give sufficient accommodation in respect to St. George's Channel; while the graving dock now building in Cork harbour would afford admirable accommodation for ships coming from the westward disabled. He did not hazard these statements upon his own opinion, because this was a professional question; but he was borne out by the opinions of some of our most distinguished naval officers. Our true policy appeared to him to be in favour of concentrating our work upon our larger arsenals, and, instead of spreading the completion of these yards over so long a time as we were doing, we should endeavour to build them with greater expedition, and prepare them for any emergency which might arise. It might be urged that the terms of his Motion were vague, but he had intentionally left them so, because he thought it right that the House should only affirm the policy which should regulate our action, and that the details should be left to the Admiralty. He did not even attempt to suggest the number of yards which, in his opinion should be closed, or the manner in which it should be done, because he believed that such questions were better left to the Department, He would, however, offer a word or two with regard to what might be done with these yards. If there was a good market they might be disposed of; if not it might be a question whether it would not be better simply to close them, and dispense with the services of a large portion of the staff, which seems to be annually increasing, while the work done each year in those yards is dwindling down to a low point. By the Returns which had been furnished to the House, he found that the value of the buildings, inclusive of the land, at Woolwich was £1,027,000; at Sheerness, £1,143,000; at Deptford, £412,000; and at Pembroke, £745,000, giving a total of something over £3,000,000. He would suggest the desirability of retaining Deptford as a victualling yard, and closing it as far as the building was concerned. It might be advisable, too, to retain the factory at Woolwich, for it possessed considerable facilities for repairs of small craft; but he would suggest that the whole system of management should be altered, that one of our most experienced Dockyard engineers should be placed at the head of it, and that the ordinary common-sense principles which govern private yards should regulate the management of the factory. With those alterations, he thought that the factory would become a most useful appendage to the navy. Sheerness, from its proximity to Chatham, was to his mind almost useless, and though Pembroke appeared to possess some value as a building-yard, the expense of maintaining that establishment was entirely inadequate to the results obtained. It might be said that we could not suppress any of these yards until Chatham was completed, but he could not see that there was any connection between them, looking at the insignificant amount of work done in these yards. If we look at the Estimates for the present year we will find that the number of artizans in the river yards had been brought down to a minimum, and he asked the Admiralty to go a step further and get rid of this enormous amount of expenditure, for which so little was obtained. He was aware it was not a popular subject. There were old traditions connected with these Dockyards. Their names were intimately associated with some of our brightest memories, and he could understand that any suggestion for wiping them out would be received with some disfavour. The House of Commons must not shrink from taking their part in reducing this expenditure, and until they did it the Admiralty would be unable to get out of the system into which it had got. He believed the First Lord and his Colleagues were most anxious to change the system; but they were powerless unless this House came to their help and raised the Department out of the groove which it has settled down into. He hoped the House would affirm his Motion, and show that they were determined to co-operate with the Admiralty in bringing about a better system, and a large reduction in the expenditure of the Dockyards.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the number of Dockyards ought to be diminished,"—(*Mr. Graves,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CORRY said, the subject was one that was well worthy the consideration of the House, and he could assure them it had not escaped the attention of the Admiralty. If his hon. Friend had been a member of the Dockyard Committee, from whose Report he had quoted, he would have known that he (Mr. Corry) was one of the first to suggest that, on the completion of the Chatham extension, some of the small river Dockyards might be dispensed with. His hon. Friend had stated that there was no connection between the completion of Chatham Dockyard and the object he had in view; but the Committee contemplated the completion of the Chatham Dockyard before any other should be done away with. It was true that in the Committee he had voted against the Motion for the suppression of the river Dockyards; but he did so because it included Pembroke, and, in his opinion, it would be most unwise to give up that Dockyard as a building yard. The hon. Member had spoken of Pembroke as if it had been a fitting-out yard; but ships were never fitted out there, and it was the only thoroughly trustworthy yard for shipbuilding, except Deptford, perhaps, because in all other yards the regular work was liable to be put on one side, in order that ships returning from long voyages might be refitted, and sometimes, as in the case of the Indian troop ships, it was imperative that they should be put into good condition, with the least practicable delay. The importance of having one Dockyard such as Pembroke at command, exclusively for shipbuilding, was therefore obvious. Besides that, it was the cheapest yard for building ships, and he should for these reasons be sorry to see it suppressed. Had the Motion made in the Committee been confined to Woolwich and Deptford he would have supported it. The hon. Member had suggested the abandonment of Sheerness; but such a proposal was rather premature, considering we as yet knew little of the capabilities of Chatham. Perhaps five years hence, when the Chatham extension was completed, the Admiralty would be able to form a sound opinion on the subject; but at present he thought it would be unwise to abandon Sheerness as a repairing and fitting-out yard for ships employed in time of war in the North Sea. He had consulted the Controller of the Navy on the subject of Deptford, and discusssed the question as to whether it might not be given up, except as a victualling yard; but they came to the conclusion that this could not be done at once, because, in addition to the fact that several ships were now on the stocks in that Dockyard, there was a large quantity of timber and other materials in store, which it would be more economical to work up than to remove at a great expense to other yards. Regarding Woolwich, his own opinion was that with three basins at Chatham, and extensive means for the repair of steam machinery, Woolwich might be dispensed with as soon as Chatham was completed. His hon. Friend had adverted to the great expense of the conveyance of stores by Dockyard craft, thinking such work could have been done more cheaply by contract. That subject had been under the consideration of a Committee, appointed by the Admiralty, of which Sir Thomas Symonds was President. The recommendations of that Committee had been referred to the Dockyard officers, and as soon as their remarks were received the Report would be laid upon the table of the House. No doubt, if the recommendations of the Committee were carried out *in extenso*, a great saving would be the result, but the subject required careful consideration. The question of the cost of coal hulks was adverted to in the Report of Sir Thomas Symonds' Committee, and was now under consideration. He thought his hon. Friend had rather over-estimated the cost of salaries, rates, gas, &c., at Deptford, Woolwich, and Sheerness, and also at Pembroke. The whole cost of salaries, &c., did not amount to £65,000; and since the Report of 1864 had been made suggesting the suppression of those yards not a single farthing had been spent by the Admiralty on any new works at any one of them. This showed that the Government had been holding its hand until a sound conclusion could be arrived at as to what should be done with the several yards. His hon. Friend had spoken of the large quantity of stores in the Dockyards; the most important item, however, was that of timber, and it was an ascertained fact that it was sound economy to use well-seasoned timber; it was that, indeed, which made Dockyard ships, built of wood, cheaper, as he maintained they were, because much more durable than contract ships. He believed he had shown on a previous occasion that this opinion was verified by facts. Of other articles which did not need seasoning the stock in the yards was very limited, and in no respect in excess of the wants of the service. His hon. Friend had referred to the small quantity of building done in the Dockyards. But Pembroke, as he had stated before, was the only yard exclusively devoted to building; and in the other yards the greater part of the establishments was of necessity employed in fitting and repairs. The statement that the price paid for gunboats contracted for last year was in excess of the lowest tenders had been explained by him in the course of the last Session of Parliament. It had become a practice with some builders to seek to undertake Government contracts at a loss in order to obtain notoriety and attract the attention of foreign Governments; and knowing that some of the tenders for the gunboats referred to were below the price at which it would be possible to build them in accordance with the specification. The Admiralty wrote to the firms which had sent in such tenders, calling their attention to the terms of the specification, and asking them whether they were still disposed to adhere to their offer? The answer was that they wished to abide by their tenders; but the Admiralty considered it very unadvisable to contract for the building of the whole of these gunboats at prices which would not be remunerative, and for that reason the lowest tenders had not been universally accepted. It frequently happened that contractors sent in claims for payments to a large amount in excess of their tenders, and he believed that in every instance they had been out of pocket to the extent of these claims. The amount of the tenders, therefore, was no fair criterion of the difference between the cost of building ships in the Royal Dockyards and by contract. He was afraid his hon. Friend's estimates in respect of some of the matters to which he had referred were not very accurate; but he had no doubt that economy might be effected in many points in connection with the Dockyards, and he could assure him that the whole question was being carefully considered by the Admiralty.

Mr. SCOURFIELD said, that was the first time he had heard a complaint made of the want of water at Pembroke Dockyard. He had seen the Great Eastern lying exactly opposite the Dockyard at low water and remain there for some days, and it was well known that some of the largest ships of the Navy had been built and launched there without difficulty. It was easy, when there was competition between the Dockyards and private yards, to obtain low prices; but the House ought to keep in mind what would happen when the Dockyards were diminished, and they were left entirely in the hands of private contractors. The expense of ships could not be entirely estimated by contracts; the cost of repairs which they would afterwards have to undergo should also be taken into account.

Mr. Alderman LUSK said, that though so much was talked about reducing the expenses of the Dockyards, he feared that the expenses were always increasing. He therefore thanked his hon. Friend for having brought forward this Motion, because as a rule before any reforms were made, they required "line upon line, and precept upon precept." He thought his hon. Friend had made out a good case. If the Government would turn tradesmen and build their own ships, they ought to act on the principles of tradesmen, and no tradesman, he was sure, would establish a number of little yards, some of which were not well managed, all of which were differently, and some indifferently managed. Their energies should be concentrated upon two or three good yards, and in that way they would diminish the expense of salaries of officers, police, and the many charges incidental to a variety of establishments. He had seen large stocks of timber rotting in the yards. It was said that the timber was kept there for seasoning; but was it necessary to keep a stock of anchors for seasoning also? As far as he understood these things, it would be much better to have canvas and cordage fresh. If the yards were in a working condition a great many things now lying uselessly there would be turned to account. When the right hon. Gentleman told the House they could not have building and repairing carried on in the same yard, he begged to differ from him. Both could be done in the same yard perfectly well, and they saw both done by private firms every day.

Mr. DALGLISH said, he happened to be at Pembroke, and saw the Great Eastern there, but she was not in Pembroke Docks, and therefore her presence at Pembroke proved nothing as to the depth of water in the docks. But what he rose for was to express his astonishment at the argument of the First Lord of the Admiralty for the maintenance of Deptford Dockyard on account of the stock of timber there. If he had no better test than that it would be better to sell the timber, and get quit of it and the Dockyard together. If the Admiralty had made up their minds to get quit of the Dockyard they had better do so at once; because no Admiralty would ever again propose to build timber ships for the purpose of getting quit of the stock.

Mr. CHILDERS said, there was one, inconvenience attending this debate, and that was that the House was not in possession of the whole policy of the Government, nor would it be until his right hon. Friend should make his statement on moving the Estimates. He did not think, however, that time had been entirely thrown away; because it would be next to impossible to induce the Admiralty to bestir themselves in this matter without a smart debate in that House. He wished to state distinctly what his own views, and when he was at the Admiralty for some months, three years ago, what those of the late Government were, and to show that those views had been unfortunately departed from. He did not quite agree with the hon. Member for Liverpool (Mr. Graves) as to the value of Pembroke Dockyard. It was quite clear to him that it would at present be disadvantageous to give up Pembroke altogether as a building yard. There was a great public advantage in having one yard at which building only was carried on; while, on the other hand, it was useful to have building and repairing conducted in other yards. Until they saw a great deal more of the working of the Chatham and Portsmouth Dockyards he should deprecate interfering with Pembroke. He would say, however, as his own opinion, that Woolwich Dockyard ought to be given up at once, and that the steps which had been taken in that direction long ago ought not to have been reversed. The late Government had determined not to do anything which would prevent the ultimate giving up of Woolwich as a Dockyard. They bought no more machinery in 1865-6, they made no increase in the establishment, and they commenced the building of no more ships. But what was done in the course of last year? Why, instead of carrying out what their predecessors had proposed, the present Government put up more machinery and built more ships there; so that, though steps had been taken for gradually giving up Woolwich Dockyard, that policy was distinctly reversed by Her Majesty's Government. He hoped his right hon. Friend would fully explain how that had occurred when he should move the Estimates. As to Deptford, he doubted whether it was possible to build ships economically there, though it would be always useful to have a certain amount of store and basin accommodation in the place. He should like to have the opportunity of asking his right hon. Friend the Secretary of State for War, whether he was not aware that there was part of Deptford Dockyard which might be of great use for military purposes; and whether it would not be more economical to turn this to account than to incur the enormous expenditure, which, he regretted to see, was contemplated by this year's Estimates in the purchase of land and erection of buildings in the vicinity. Sheerness, also was a most extravagant Dockyard, and when the works at Chatham were finished he sincerely hoped that expenditure in this quarter would come to an end. No one who knew the place could doubt that Blue Town was a most unfit place for a building yard. Additional labour was hard to procure, and the soil was wretchedly bad. There was no doubt but that it should be abolished as a building yard and only used for the purposes of refitting in connection with the Nore. The cost of Deptford, Sheerness, and Woolwich last year was £380,000 for direct expenses, and perhaps an additional £70,000 for indirect; and certainly a great part of this outlay might be saved at once in the case of Woolwich, and to some extent in the case of Deptford, and before long in the case of Sheerness. He hoped that the Board of Admiralty, acting under the strong pressure of opinion in that House, would take economical action in the directions he had indicated.

MR. GRAVES said, in explanation, that he had quoted from the official figures, of which he had no reason to doubt the accuracy.

Amendment, by leave, *withdrawn.*

LAMBETH WORKHOUSE—THE NEW MASTER.

MOTION FOR PAPERS.

MR. PERCY WYNDHAM, in putting a Question of which he had given notice, relative to the appointment of Mr. Catch to the office of Master of Lambeth Workhouse, said, that attention had been much directed of late to the condition of these establishments, but no attempts at reform would be of any avail until greater care was exercised in the selection of men to fill offices upon the permanent staffs of the different workhouses. He could not but think that the Poor Law Board, in sanctioning this appointment, had been led astray by letters of recommendation, which were easily obtained and hardly tested. The person in question was originally porter of the Strand Union. At the death of the master—thirteen years ago—he succeeded to his place; but he treated the inmates with such severity that the whole house rose in rebellion, and he was sent away. He succeeded, however, in getting the appointment of Master of St. Mary's, Newington, where he conducted himself much in the same manner, until, in the spring of 1866, he instituted a charge against the medical officer of improper intimacy with one of the nurses, which charge having been investigated and disproved, his own appointment was cancelled. Since then he had tried to get other situations, but failed, owing to his antecedents. Lately, however, he had been appointed to the Mastership of Lambeth Workhouse, which more than any other, perhaps, owing to the number of infirm persons and children which it contained, as shown by Mr. Farnall's Report, needed most careful handling. The establishment contained 968 inmates, of whom 725 were disabled by illness or old age, and nearly fifty were children. He did not wish to deny to any one the power of reformation; but it was a very different thing to give to a man the opportunity of retrieving his position, and to place in a responsible position a man who might be described as a person of known bad character. Some of the Guardians might have voted for him in ignorance of his antecedents; while others, it was said, were influenced by the fact that he had married an excellent woman, who was well fitted for the office of matron. However this was, it would be satisfactory to the public to know what amount of previous misconduct in the eyes of the Poor Law Board unfitted a man for such a position of responsibility as master of a workhouse. It might be thought that such matters were not of sufficient importance to be brought before the House; but he feared that similar appointments were not infrequent. He had heard that the guardians of Portsea had recently elected a master who had previously been turned out of Clerkenwell. Under those circumstances, he felt justified in asking, Whether the Secretary of the Treasury was aware of the antecedents of the recently appointed Master of Lambeth Workhouse?

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Copies of the Evidence taken by Mr. Farnell at the inquiry held at St. Mary's, Newington in the spring of 1866, and of the Correspondence between the Newington Board and the Poor Law Board which led to the removal of G. Catch from the office he then held,"—(*Mr. Percy Wyndham,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. Percy Wyndham

VISCOUNT ENFIELD seconded the Motion.

SIR MICHAEL HICKS-BEACH said, that before he replied on the special case, he wished to state that he fully concurred with his hon. Friend as to the necessity of appointing none but persons of good character as masters of workhouses. There could, in fact, be hardly a more important function to administer than that of master of a workhouse with 1,300 inmates. That was the present number in Lambeth Workhouse, though in consequence of an Act framed last Session, the sick would soon be removed to an asylum, and other alterations were in contemplation which would further diminish the numbers in the workhouse. In answer to his hon. Friend's first Question, he had to state that Mr. Catch was formerly Master of the Strand Union, but that so far from having a bad character there, the guardians testified on the occasion of his voluntary resignation in January, 1858, to his honesty, sobriety, and integrity. They stated that he had governed the house with firmness and humanity, and that he resigned of his own accord, in order to obtain a better appointment at St. Mary, Newington, where for eight years—namely, from 1858 to 1866—no complaints were made of his treatment of the inmates. In January, 1866, complaints were made by the guardians of quarrels between the master, the medical officer, and the other officers of the house. It appeared that these quarrels had risen to such a height that the business of the workhouse could not be carried on. The Poor Law Board instituted an inquiry, which was carried out by Mr. Farnell, and the result was that, although considerable irregularities had taken place on the part of the medical officer, it was proved that Mr. Catch had so far misconducted himself, by quarrelling with and obstructing the medical officer, and in other ways, that the Poor Law Board requested him to resign. At the same time, he must add that nothing was proved against his honesty, or sobriety. He was dismissed solely for not agreeing with the other officers of the workhouse, and Mr. Farnell, who recommended his resignation, added that he should be well satisfied if the Poor Law Board took a more lenient view of the case. Mr. Catch resigned, went into business, and failed. He (Sir Michael Hicks-Beach) did not know that that should necessarily disqualify him as master of a workhouse, and subsequently he applied to the Poor

Law Board to know whether, if elected to another workhouse they would sanction his election. The Poor Law Board felt that he had been dismissed for differences with the medical officer; that no other complaints had been made against him; and they probably thought that deprivation of office for eighteen months was sufficient punishment. Under these circumstances the Board sent a favourable answer. Mr. Catch then applied to the guardians of Lambeth, and he and his wife were elected master and matron. He wrote to the Poor Law Board informing them of his election, and the Board felt it their duty to write to the guardians informing them of the whole previous case against Mr. Catch. The Lambeth guardians, with a full knowledge of the facts of the case, confirmed the election, and the Poor Law Board had no option but to sanction the appointment; but they coupled this with a request that the guardians would at the end of six months make a special report as to the manner in which Mr. Catch had performed his duties. Since the appointment, Dr. Markham, a Poor Law Inspector, had visited Lambeth Workhouse, and he reported—"The present master seems to me to manage the workhouse well, considering its crowded state, and the impossibility of classification." He (Sir Michael Hicks-Beach) trusted, therefore, that the House would not endorse the statement of his hon. Friend that Mr. Catch was a man of known bad character, and would consider that the Poor Law Board had not acted wrongly in giving him another opportunity of conducting a workhouse properly. If the Motion for Papers were pressed, he should not oppose it; because he thought they would correct the erroneous impression which prevailed, but the correspondence which had passed between the Lambeth guardians and the Poor Law Board should be added.

Mr. THOMAS HUGHES thought that anything more disastrous to the proper administration of the Poor Law in the metropolis could not have taken place than the conduct of the Board in this case. It was, no doubt, a very magnanimous thing to give a man a chance of redeeming his character at one's own expense; but it was not at all worthy of praise when that chance was given at the expense of the poor of the metropolis. He trusted that that was not the last the House would hear of the case.

Amendment, by leave, *withdrawn.*

ASSESSED TAXES—APPEAL COURTS.

OBSERVATIONS.

Mr. TREEBY said, he would beg to call the attention of the Secretary of State for the Home Department to the serious inconvenience and loss attending persons who feel themselves called upon to pay a larger amount of Assessed and other Taxes than their just and fair share, in consequence of the distance of the Appeal Court being, in many cases, as much as nine or even twelve miles from where the parties aggrieved reside; and to inquire, whether the Government have any objection to authorize a Court of Appeal for Assessed and other Taxes, to be held in all boroughs and towns where the distance of Appeal exceeds four miles? The House had no idea of the number of persons who were obliged to go to an inconvenient distance to attend Appeals, and he thought that means ought to be adopted to meet that inconvenience.

Mr. SCLATER-BOOTH said, that if the hon. Gentleman would put his Question on the Paper for Monday, he would endeavour to have it answered. The matter rested with local authorities, with whom the Government had no right to interfere. The Government had no control over these Courts, which were appointed by the Commissioners. If anyone felt inconvenience by reason of distance from the Court of Appeal, it would be competent for him to bring the matter under the notice of the Commissioners of Inland Revenue, and they would no doubt communicate with the local authorities, with the view of remedying the inconvenience.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

£4,000,000, on account, following Army Services, viz.:—

I.—Regular Forces.	£
1. General Staff and Regimental Pay, Allowances, and Charges ..	1,500,000
2. Commissariat Establishment, Services, Movement of Troops, &c.	400,000
3. Clothing Establishments, Services, and Supplies	174,000
4. Barrack Establishment, Services, and Supplies	200,000
5. Divine Service	16,000
6. Administration of Martial Law	10,000
7. Hospital Establishment, Services, and Supplies	100,000
	2,400,000

	£
II.—Reserve Forces.	
8. Militia and Inspection of Reserve Forces	300,000
9. Yeomanry Cavalry	30,000
10. Volunteer Corps	100,000
11. Enrolled Pensioners and Army Reserve Force	25,000
	455,000
III.—Stores.	
13. including 12. Military Store Departments for the Supply and Repair of Warlike and other Stores, including Manufacturing Departments	200,000
IV.—Works and Buildings.	
14. Superintending Establishment of, and Expenditure for Works, Buildings, and Repairs, at Home and Abroad	200,000
V.—Various Services.	
15. Military Education	50,000
16. Surveys of the United Kingdom	25,000
17. Miscellaneous Services	40,000
18. Administration of the Army	70,000
	185,000
Total Effective Services	£3,440,000
VI.—Non-Effective Services.	
19. Rewards for Distinguished Service, &c.	13,000
20. Pay of General Officers	36,000
21. Full Pay of Reduced and Retired Officers and Half Pay	81,000
22. Widows' Pensions, &c.	59,000
23. Pensions for Wounds	12,000
24. Chelsea and Kilmainham Hospitals (In-Pensions)	18,000
25. Out-Pensions	291,000
26. Superannuation Allowances	38,000
27. Militia, Yeomanry Cavalry, and Volunteer Corps	12,000
Total Non-Effective Services	£560,000
Recapitulation.	
Effective Services	3,440,000
Non-Effective Services	560,000
Total Effective and Non-Effective Services	£4,000,000

Sir JOHN PAKINGTON hoped that, under the circumstances, the Committee would allow him to take a Vote of £4,000,000, on account for the Army Estimates.

Vote *agreed to.*

House *resumed.*

Resolution to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

PUBLIC SCHOOLS (*re-committed*) BILL.

(*Mr. Walpole, Sir Stafford Northcote, Mr. Secretary Gathorne Hardy.*)

[BILL 47.] COMMITTEE.

Order for Committee read.

Mr. WALPOLE moved that this Bill be referred to a Select Committee. He believed that that course would meet the views of hon. Members who took an interest in the matter; and that, in a Select Committee, the Bill would be put into a form which would shorten discussion and facilitate its passing through the House.

Mr. LOWTHER said, that, as a rule, to refer a Bill to a Select Committee was to delay rather than to expedite legislation; and he therefore trusted that means would be taken to prevent the rule being verified in this case.

Mr. BENTINCK thought it wise to refer the Bill to a Select Committee, a course which would expedite the result hoped for by all who wished well to the schools.

Viscount ENFIELD asked, whether it was intended to take evidence?

Mr. NEWDEGATE said, it would be necessary to take evidence, because in some respects the scheme was founded upon misapprehensions. The Commissioners had not taken sufficient trouble to inquire into the foundation of Rugby School. It was founded for all the children of Rugby, and not for the poor children of that place; and the earliest records showed that the children of the gentry availed themselves of its advantages. There was another charity in the town, founded exclusively for the poor children. He could see no sense in the provision that, if the Committee did not act, the Commissioners should be enabled to do so without giving notice. He intended to ask that a clause should be introduced into the Bill to the effect that the privileges of day scholars should not be abrogated, his object being to preserve the privileges enjoyed by the residents of Rugby and conferred by the benevolence of the founder. He was glad that the Bill was about to be sent to a Select Committee, and he hoped that Committee would be empowered to take evidence.

Mr. AYRTON thought it would be unnecessary to add any further evidence to that contained in the blue books. Anything that the Commissioners might have omitted would in all probability be found in the bulky appendices.

MR. NEATE said, that the proposal to refer the Bill to a Select Committee originated with him. He thought it desirable to adopt that course, because if the Bill were subjected to a general discussion in the House there was little chance of its passing.

MR. WALPOLE concurred with the hon. and learned Member for the Tower Hamlets that enough evidence had been already taken; but of course the Select Committee could, if it thought fit, apply to the House for permission to take further evidence.

Order *discharged:* Bill *committed* to a Select Committee.

And, on March 26, Committee *nominated* as follows:—Mr. AYRTON, Mr. BENYON, Mr. CAVENDISH BENTINCK, Mr. CARDWELL, Mr. CLEMENT, Mr. GRANT DUFF, Viscount ENFIELD, Mr. DARBY GRIFFITH, Mr. NEVILLE-GRENVILLE, Mr. WILLIAM EDWARD FORSTER, Mr. GOSCHEN, Sir WILLIAM HEATHCOTE, Mr. HOWES, Mr. MOWBRAY, Mr. NEATE, Sir STAFFORD NORTHCOTE, Mr. POWELL, Mr. STONE, and Mr. WALPOLE:—Five to be the quorum.

COMPULSORY CHURCH RATES ABOLITION BILL.—[BILL 59.]

(*Mr. Gladstone, Sir George Grey, Sir Roundell Palmer.*)

THIRD READING.

Order for Third Reading read, and *discharged.*

Bill *re-committed,* in respect of Amendments to be proposed to Clauses A and C; *considered* in Committee.

SIR ROUNDELL PALMER moved the following Clause:—

"Line 17, after 'rates,' insert, 'and payment of such rates may be enforced in the same manner as if this Act had not passed, and the same shall not be deemed to be church rates within the meaning of this Act.'"

Clause *agreed to.*

MR. HARDCASTLE moved the following Amendments, in Clause C, line 1, leave out after "shall" to end of line 4, and insert—

"Have paid on behalf of the occupier thereof the last preceding rate which shall have been made in respect of such land under this Act shall be entitled."

At the end of Clause, add—

"Provided always, that no such payment shall be made by the owner without consent of the occupiers, until one month after such rate shall have been agreed upon."

Amendments *agreed to.*

Clause *agreed to.*

SIR ROUNDELL PALMER moved that the Bill be re-printed as amended, and be ordered to be reported on Monday.

Motion *agreed to.*

House *resumed.*

Bill *reported;* as amended, *considered:* to be read the third time upon *Monday* next, and to be *printed.* [Bill 72.]

MARINE MUTINY BILL.

On Motion of Mr. DODSON, Bill for the Regulation of Her Majesty's Royal Marine Forces while on Shore, *ordered* to be brought in by Mr. DODSON, Mr. CORRY, and Lord HENRY LENNOX.

Bill *presented,* and read the first time.

House adjourned at half after
Twelve o'clock, till
Monday next.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CXC.

FIRST VOLUME OF THE SESSION 1867-8.

EXPLANATION OF THE ABBREVIATIONS.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted o vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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- *Non-Purchase Corps — Report of the Select Committee,* Question, Mr. Childers; Answer, Sir John Pakington *Nov* 28, 335
- *Ordnance Select Committee Report,* Question, Mr. Hanbury-Tracy; Answer Sir John Pakington *Mar* 12, 1456
- *Perth Barracks,* Question, Mr. Bayley Potter; Answer, Sir John Pakington *Nov* 28, 329
- *Promotion—Indian Colonels,* Question, Captain Vivian; Answer, Sir John Pakington *Mar* 19, 1887
- *Royal Artillery, &c. Retirements,* Question, Mr. Childers; Answer, Sir John Pakington *Mar* 9, 1214
- *Royal Military College,* Question, Colonel Annesley; Answer, Sir John Pakington *Mar* 13, 1594
- *Shoeburyness Experiments,* Questions, Mr. Powell, General Dunne; Answers, Sir John Pakington *Mar* 17, 1813
- *Shrapnel Shell, The,* Petition of H. N. S. Shrapnel (*The Earl of Cardigan*) *Mar* 6, 1147
- *Staff Appointments,* Question, Sir Patrick O'Brien; Answer, Sir John Pakington *Nov* 21, 106; Question, Sir Patrick O'Brien; Answer, Sir John Pakington *Mar* 9, 1223
- *Tenders for Clothing,* Question, Mr. C. Edwards; Answer, Sir John Pakington *Feb* 20, 990
- *Wooden Huts for Troops,* Motion for "Copy of all Correspondence between Government and the Medical Men or Officers in the command of Regiments stationed at Aldershot, Shorncliffe, and Colchester, as to the impolicy and hardship of keeping in Wooden Huts, during this severe winter, old rheumatic soldiers from hot climates and young recruits" (*Colonel French*) *Feb* 19, 982; after short debate, Motion agreed to

Army—India and the Colonies

Select Committee appointed "to inquire into the duties performed by the British Army in India and the Colonies, and also how far it might be desirable to employ certain portions of Her Majesty's Native Indian Army in our Colonial and Military dependencies, or to organize a force of Asiatic Troops for general service in suitable climates" (*Major Anson*) *Mar* 6, 1207; List of the Committee

Army—Military Reserve Funds

Select Committee appointed, "to inquire into the origin of the Military Reserve Funds, the sources from which they are derived, and the objects to which they are applied" (*Lord Hotham*) *Feb* 17, 850; List of the Committee

Art Catalogue—Publication of the Universal

Question, Mr. Dillwyn; Answer, Lord Robert Montagu *Mar* 9, 1218

Artizans' and Labourers' Dwellings Bill
(*Mr. M'Cullagh Torrens, Mr. Kinnaird, Mr. Locke*)

c. Ordered; read 1°* *Nov* 20 [Bill 1]
Moved, "That the Bill be now read 2°" *Mar* 11, 1431; after short debate, Bill read 2°

Assessed Taxes—Appeal Courts

Observations, Mr. Treeby; Reply, Mr. Sclater-Booth *Mar* 20, 2050

Attorney General, The, (Sir J. B. Karslake), *Andover*

- Bankruptcy Law, 336, 988
- County Courts (Admiralty Jurisdiction), 2R. 1829
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- Life Policies Assurance, 2R. 956
- Payment of Rates—The Compounding System, 1888
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- Abyssinia—The Foreign Office, 626
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- Compounding for Rates, Res. 1906
- Compulsory Church Rates Abolition, 2R. 975; Comm. *cl.* 4, 1418, 1419, 1420
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- Metropolis Subways, 2R. 1279
- Metropolitan Streets Act (1867) Amendment, Leave, 107; 2R. 168; Comm. *cl.* 1, 409, 413; Lords Amendts. 652; Amendt. 664
- Postal—India, China, and Japan Mails, 453, 456;—Service with the United States, 681, 686
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- Public Schools, Leave, 634; 2R. 752, 763, 774, 1072; Motion for a Select Committee, 2052

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- Scotland—Burntisland and Granton Ferry, 1004
- Supply—Abyssinian Expedition, 232

Bagwell, Mr. J., *Clonmel*

- Army—Cavalry Enlistment, 1453
- Fenian Convicts at Manchester, 121
- Habeas Corpus Suspension (Ireland) Act Continuance, 2R. 784; Comm. 937; *add. cl. ib.*
- Representation of the People (Ireland), Leave, 1951

Baines, Mr. E., *Leeds*

- Charitable Institutions, Rating of, 331
- Compulsory Church Rates Abolition, Comm. *cl.* 4, 1422

Bank Holidays Bill
(*Sir Colman O'Loghlen, Mr. Stacpoole*)
c. Ordered; read 1°* *Nov* 28 [Bill 15]
Moved, "That the Bill be now read 2°" (*Sir Colman O'Loghlen*) *Feb* 19, 941; after short debate, Bill read 2°, and committed to a Select Committee

Bankruptcy Acts Repeal Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª* *Mar* 9 (No. 30)

Bankruptcy Bill [H.L.] (*The Lord Chancellor*)
l. Presented; read 1ª* *Mar* 9 (No. 31)
c. Question, Mr. Moffatt; Answer, The Attorney General *Feb* 20, 988

Bankruptcy Law Amendment
Question, Mr. Goschen; Answer, The Attorney General *Nov* 28, 336

Baring, Mr. T., *Huntingdon*
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Barnett, Mr. H., *Woodstock*
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Barron, Sir H. W., *Waterford City*
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† Compulsory Church Rates Abolition, 2R. 979; Comm. *cl.* 4, 1419
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Beke, Dr., Mr. Rassam, and others—see title—*East India, Troops and Vessels*

Bentinck, Mr. G. Cavendish, *Whitehaven*
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Berkeley, Hon. F. H. F., *Bristol*
Sale of Liquors on Sunday, 2R. 1870

Blake, Mr. J. A., *Waterford City*
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Sea Fisheries, Comm. *cl.* 27, 1276, 1277

Bonham-Carter, Mr. J., *Winchester*
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Private Bill Legislation, Res. 1810

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Bouverie, Rt. Hon. E. P., *Kilmarnock, &c.*
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Question, Mr. Schreiber; Answer, Lord Robert Montagu *Mar* 19, 1888

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(*Mr. M'Laren, Mr. Dunlop, Mr. Baxter*)
c. Ordered; read 1° * *Mar* 11 [Bill 60]

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Cape of Good Hope—The Basuto Territory
Question, Mr. Miller; Answer, Mr. Adderley *Mar* 20, 1975

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(*Mr. Secretary Gathorne Hardy, Mr. Walpole, Mr. Attorney General*)
c. Question, Mr. Hibbert; Answer, Mr. Gathorne Hardy *Nov* 26, 176
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Bill ordered, after debate; read 1° * [Bill 36]
Moved, "That the Bill be now read 2°" (*Mr. Gathorne Hardy*) *Mar* 5, 1127
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Serjeant Gaselee*)
On Question, "That 'now' &c.;" A. 181, N. 25; M. 156; Bill read 2°

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- Fines and Fees (Ireland), 2R. 1233
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- *Legislation*, Question, Mr. Read; Answer, Lord Robert Montagu *Nov* 20, 92
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- Statistical Abstracts, Annual, 1977
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- Weights and Measures (Metric System), Leave, 1074
- Wreck Registers, 507, 1687

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- Postal—India, China, and Japan Mails, Res. 463;—West India Mail Packet Station, 666
- Postal Subsidies, Res. 2019

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- Contagious Diseases Act, 797
- Poor Laws—Pauper Idiots and Lunatics, 1887
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- Observations, Mr. Gorst; debate thereon *Mar* 20, 2012

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- Abyssinian Expedition—Expenditure, 1684
- Financial Statement, The, 1892
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Universities and the Established Church, Petition presented (*The Bishop of London*) *Mar* 19, 1872

Church Rates Abolition Bill
(*Mr. Hardcastle, Mr. Baines, Mr. Gilpin*)
c. Ordered; read 1° * *Dec* 3 [Bill 21]

Church Rates Commutation Bill
(*Mr. Newdegate, Colonel Stuart*)
c. Ordered; read 1° * *Nov* 27 [Bill 10]

Church Rates Regulation Bill
(*Mr. Hubbard, Mr. Beresford Hope*)
c. Ordered; read 1° * *Dec* 3 [Bill 22]
Moved, "That the Bill be now read 2°" (*Mr. Hubbard*) *Mar* 11, 1398
Amendt. to leave out "now," and add "upon Wednesday the 8th day of April next" (*Mr. Hardcastle*), 1407; Question, "That 'now,' &c.;" after short debate, Amendt. and Motion withdrawn; 2R. deferred

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Clive, Mr. G., *Hereford City*
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Election Petitions and Corrupt Practices at Elections, Leave, 707
Expatriation, Law of, 1994
Libel, 2R. 312
Parliamentary Boroughs—Payment of Rates, 446

Colonsay, Lord
Registration of Writs (Scotland), 2R. 1147

Commerce, Chambers of
Question, Mr. W. E. Forster; Answer, Mr. S. Cave *Dec* 5, 606

Commerce, Tribunals of
Question, Mr. W. E. Forster; Answer, Mr. S. Cave *Dec* 5, 605

Companies Amendment Act, 1867
Question, Mr. Graves; Answer, The Solicitor General *Dec* 5, 605

Compulsory Church Rates Abolition Bill
(*Mr. Gladstone, Sir G. Grey, Sir R. Palmer*)
c. Ordered; read 1°* *Nov* 28 [Bill 13]
Moved, "That the Bill be now read 2°" (*Mr. Gladstone*) *Feb* 19, 957; after long debate, Bill read 2°
Committee; Report *Mar* 11, 1415 [Bill 59]
Considered as amended *Mar* 17, 1830
Amendt. to leave out "to vote upon any question as to making any such voluntary rate, or" (*Mr. Henley*); after short debate, Question, "That the words, &c." agreed to
Question, Mr. Walpole; Answer, Mr. Gladstone *Mar* 20, 1983
Re-comm. in respect of Amendments to be proposed to Clauses A and C *Mar* 20, 2053
Report *Mar* 20 [Bill 72]

Conolly, Mr. T., *Donegal Co.*
Ireland—State of, Motion for Committee, 1722

Consecration of Churchyards Act (1867) Amendment Bill [H.L.]
(*The Lord Bishop of Oxford*)
. Presented; read 1ª* *Feb* 17 (No. 16)

Consolidated Account—Charges on the
Question, Mr. Thomson Hankey; Answer, Mr. Sclater-Booth *Mar* 9, 1221

Consolidated Fund (£2,000,000) Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Hunt*)
c. Resolution in Ways and Means [*Nov* 28] reported; Bill ordered; read 1°* *Nov* 29
Read 2°* *Nov* 30
Committee*; Report *Dec* 2
Read 3°* *Dec* 3
l. Read 1ª* (*The Earl of Derby*) *Dec* 3
Read 2ª* *Dec* 5; Committee negatived
Read 3ª* *Dec* 6
Royal Assent *Dec* 7 [31 *Vict.* c. 1]

Consolidated Fund (£362,398 19s. 9d.) Bill
c. Ordered; read 1°* *Mar* 18
Read 2°* *Mar* 19
Committee*; Report *Mar* 20

Contagious Diseases Act
Question, Lord Eustace Cecil; Answer Sir John Pakington *Feb* 17, 797; Question, Mr. Waldegrave-Leslie; Answer, Lord Robert Montagu *Mar* 10, 1286; Question, Major Dickson; Answer, Sir J. Pakington *Mar* 17, 1813; Question, Sir J. Clarke Jervoise; Answer, Lord Robert Montagu *Mar* 19, 1889

Corrance, Mr. F. S., *Suffolk, E.*
Address in Answer to the Speech, 91
* Ireland—State of, Motion for Committee, 1477

Corry, Right Hon. H. T. L. (First Lord of the Admiralty), *Tyrone Co.*
Abyssinian Expedition—Return of Merchant Ships, 420
Admiralty Monies and Accounts, Motion for a Committee, 902, 907, 923
Army—Conveyance of Troops—War Department and India Office, 337
Maguire, Convict, Case of, 107
Navy—Questions, &c.
  Iron Ballast in Dockyards, 1220
  Naval Chaplains, 536
  Naval Commissions, 1680
  Naval Courts Martial, 1225
  Sheathing Iron Vessels (Captain Roux), 330
  Training Ship "Chichester," 542
  Wooden Ships, Motion for Returns, 1953
Navy Estimates—Men and Boys, 1938, 1939
Postal—Halifax, Bermuda, and St. Thomas Mails, Res. 634
  Royal Dockyards, Res. 2038

County Courts (Admiralty Jurisdiction) Bill
(*Mr. Norwood, Mr. Headlam, Mr. Candlish*)
c. Question, Mr. Norwood; Answer, Mr. Stephen Cave *Nov* 26, 175
Ordered; read 1°* *Feb* 18 [Bill 33]
Moved, "That the Bill be now read 2°" (*Mr. Norwood*) *Mar* 17, 1828; after short debate, Bill read 2°

County Financial Boards (No. 1) Bill
(*Sir William Gallwey, Mr. Hartley*)
c. Ordered; read 1° *Mar* 6, 1206 [Bill 51]

County Financial Boards (No. 2) Bill
(*Mr. Wyld, Mr. Hodgkinson*)
c. Ordered; read 1°* *Mar* 6 [Bill 52]

Court of Appeal Chancery (Despatch of Business) Amendment Bill [H.L.]
(*The Lord St. Leonards*)
l. Presented; read 1ª, after short debate *Feb* 24, 1038 (No. 20)
Read 2ª* *Mar* 5
Committee*; Report *Mar* 10
Read 3ª* *Mar* 12
c. Read 1°* *Mar* 18 [Bill 68]
Read 2°* *Mar* 20

Court of Justiciary (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Gathorne Hardy, Mr. Attorney General*)
c. Motion for Leave (*The Lord Advocate*) *Feb* 24, 1094
Bill ordered, after debate; read 1°* [Bill 46]

Court of Session (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Gathorne Hardy, Mr. Attorney General*)
c. Motion for Leave (*The Lord Advocate*) *Feb* 24, 1081
Bill ordered, after debate; read 1° * [Bill 45]

Courts of Justice, The New
Question, Mr. Beresford Hope; Answer, Mr. Hunt *Nov* 29, 417; Questions, Mr. Bentinck, Sir George Bowyer; Answers, Mr. Hunt *Feb* 14, 732

Coventry Election Petition
List of the Committee *Mar* 10, 1396
House informed, that the Committee had determined, That Henry Mather Jackson, esquire, is not duly elected a Citizen to serve in this present Parliament for the City of Coventry. That the last Election for the said City is a void Election. And the said Determinations were ordered to be entered in the Journals of this House. House further informed that the Committee had agreed to certain Resolutions *Mar* 16, 1679

Cranborne, Right Hon. Viscount, *Stamford*
Compulsory Church Rates Abolition, 2R. 968
East India, Troops and Vessels (Abyssinian Expedition), Res. 366, 404
Election Petitions and Corrupt Practices at Elections, Leave, 711
India—The Sindh Railway, 1981
Parliament — House of Commons' Arrangements, Motion for a Committee, 984
Private Bill Legislation, Res. 1801

Craufurd, Mr. E. H. J., *Ayr, &c.*
Exemption of Small Pamphlets from Security, 1974
Hardwicke, Earl of, and the Cambridge Registration, 1975
Representation of the People (Scotland), Leave, 846; 2R. 1263
Scotland—Education, 1591

Crawford, Mr. R. W., *London*
Abyssinia—Telegraphic Communication, 106
India—Finance, 1982
Inland Revenue, Report on, 729
Metropolitan Tramways, 2R. 1112
Thames, Navigation of the—Main Drainage Outfall, 105, 106

Criminal Law
Juries "De Medietate Linguæ," Question, Mr. Gregory; Answer, The Attorney General *Mar* 12, 1449
Portland Convict Prison, Question, Captain Vivian; Answer, Mr. G. Hardy *Nov* 26, 179
Roman Catholic Prisoners — Tothill Fields House of Correction, Observations, Mr. Maguire *Dec* 3, 547; short debate thereon
(See *Sentences, Remission of*)

Dalglish, Mr. R., *Glasgow*
Navy—Royal Dockyards, Res. 2044

Dawson, Mr. R. Peel, *Londonderry Co.*
Ireland—Small Debts Recovery, 1679

Deal Boatmen—Charges by the
Question, Mr. Alderman Lusk; Answer, Mr. Stephen Cave *Mar* 5, 1115

De La Poer, Mr. E., *Waterford Co.*
Ireland—State of, Motion for Committee, 1730

Denbigh, Earl of
Abyssinian Expedition, Res. 590

Denison, Right Hon. J. E., *see* Speaker, The

Denman, Hon. G., *Tiverton*
Life Policies Nomination, 2R. 956

Dent, Mr. J. D., *Scarborough*
Compulsory Church Rates Abolition, Comm. *cl.* 5, 1423, 1424

Derby, Earl of (First Lord of the Treasury)
Abyssinia—Papers, 156, 157;—Expedition to, Res. 578, 594
Address in Answer to the Speech, 35, 42, 47
Adjournment for the Recess, 527
Crete—Insurrection in, 314
Income Tax, 2R. 598
Ireland—Processions, Address for Papers, 531
Italy—The Roman Question, 600, 601
Metropolitan Streets Act (1867) Amendment, Report, *add. cl.* 575, 578
Totnes, &c. Writs, 2R. 573

De Ros, Lord
Abyssinian Expedition, Res. 588

Devon, Earl of (Chancellor of the Duchy of Lancaster)
Reform Act, 1867—Ratepaying Clauses, 1588
Union Workhouses and Infirmaries, Motion for Papers, 315, 327

Dickson, Major A. G., *Dover*
Army—Contagious Diseases Act, 1813

Dillwyn, Mr. L. L., *Swansea*
Art Catalogue, Publication of the, 1218
Boundary Commission, 1218

Disraeli, Right Hon. B. (First Lord of the Treasury, *see also* Chancellor of the Exchequer), *Buckinghamshire*
Election Petitions and Corrupt Practices at Elections, 2R. 1141
Fines and Fees (Ireland), 2R. 1233
Hardwicke, Earl of, and the Cambridge Registration, 1976
Ireland—State of, Motion for Committee, 1771

Disraeli, Right Hon. B.—*cont.*
  Ministerial Statement—Re-construction of the Ministry, 1116
  Parliament—Easter Vacation, 1892
  Representation of the People (Ireland), 1199, 1892
  Representation of the People (Scotland), 1890

Divorce and Matrimonial Causes Court Bill
(*Mr. C. Forster, Mr. Headlam, Mr. Karslake*)
c. Ordered; read 1°* *Mar* 6 [Bill 50]

Dixon, Mr. G., *Birmingham*
  Compounding for Rates, Res. 1909, 1912

Dodson, Mr. J. G. (Chairman of the Committee of Ways and Means), *Sussex, E.*
  * Private Bill Legislation, Res. 862, 884, 1808, 1810, 1811

Drainage and Improvement of Lands (Ireland) Supplemental Bill
(*Mr. Hunt, The Earl of Mayo*)
c. Ordered; read 1°* *Nov* 22 [Bill 4]
  Read 2°* *Nov* 25
  Committee*; Report *Nov* 26
  Read 3°* *Nov* 27
l. Read 1ª* (*The Duke of Richmond*) *Nov* 28
  Read 2ª* *Dec* 4 (No. 3)
  Committee*; Report *Dec* 5
  Read 3ª* *Dec* 6
  Royal Assent *Dec* 7 [31 *Vict.* c. 3]

Dudley—Income Tax in
  Question, Mr. H. B. Sheridan; Answer, Mr. Hunt *Nov* 26, 176

Duff, Mr. M. E. Grant, *Elgin, &c.*
  Turkey—Vice Consul at Crete, 1116

Duff, Mr. R. W., *Banffshire*
  Metropolis Subways, 2R. 1279

Dufferin, Lord
  Ireland—Processions, Address for Papers, 528

Dunlop, Mr. A. C. S. M., *Greenock*
  Postal Subsidies, Res. 2014

Dunne, Major-Gen. F. P., *Queen's Co.*
  Army—Questions, &c.
    Fortifications, 1931, 1935
    Gibraltar Shield, The, 164
    Shoeburyness Experiments, 1814
  Fines and Fees (Ireland), 2R. Amendt. 1228
  Registry of Deeds Office (Ireland), Motion for a Committee, 1077, 1078
  Sea Fisheries, Leave, 1077

Dyke, Mr. W. Hart, *Kent, W.*
  Address in Answer to the Speech, 51

East India, Troops and Vessels
  Considered in Committee
    Moved, "That, Her Majesty having directed a Military Expedition to be despatched against Abyssinia, consisting mainly of Troops both European and Native at present maintained out of the Revenues of India, the ordinary Pay of such Troops as well as the ordinary Charges of any Vessels belonging to the Government of India that may be employed in the Expedition, which would have been charged upon the Revenues of India if such Troops or Vessels had remained in that Country or Seas adjacent, shall continue to be so chargeable; provided, that if it shall become necessary to replace the Troops or Vessels so withdrawn by other European or Native Forces or Vessels, the Expense of raising, maintaining, and providing such Forces or Vessels shall be repaid out of any Monies which may be provided by Parliament for the Purposes of the said Expedition" (*Sir Stafford Northcote*) *Nov* 28, 359; after short debate, Question put; A. 198, N. 23; M. 175; Resolution agreed to
  Resolution reported and agreed to *Nov* 29, 450, to be communicated to the Lords, and their concurrence desired thereto

Lords—
  The said Message communicated *Dec* 2, 447; Moved, "That this House do concur, &c." *Dec* 5, 578; after short debate, Motion agreed to, and a Message sent to the Commons to acquaint them therewith

  Mr. Layard, Mr. Rassam, and Dr. Beke—The Recent Debate, Explanation, Mr. Newdegate *Nov* 29, 421; Explanation, Mr. Darby Griffith *Dec* 3, 550; Questions, Mr. Newdegate, Mr. Layard; Answers, Lord Stanley *Dec* 6, 649
  Correspondence between Dr. Beke and others and the Foreign Office, Motion for Papers (*Mr. Layard*) *Dec* 6, 668; Amendt. to add certain words (*Mr. Newdegate*), 671; Question, "That those words be there added," put, and negatived; after further short debate, main Question put, and agreed to; Personal Explanation (*Mr. Newdegate*) *Dec* 7, 687

East London Museum Site Bill
(*Lord Robert Montagu, Lord John Manners, Mr. Ayrton, Mr. Butler*)
c. Ordered; read 1°* *Nov* 25 [Bill 7]
  Read 2°* and committed to a Select Committee; List of the Committee *Nov* 29
  Committee*; Report *Nov* 30
  Read 3°* *Nov* 30
l. Read 1ª* (*The Lord President*) *Dec* 2 (No. 2)
  Moved, "That the Standing Orders relative to Private Bills be dispensed with, in order that this Bill be now read 2ª" (*The Duke of Marlborough*) *Dec* 4, 574; after short debate, Motion agreed to; Standing Orders dispensed with; Bill read 2ª
  Explanation, Lord Redesdale *Dec* 6, 636
  Committee *Feb* 17, 793
  Report *Feb* 18, 859
  Read 3ª* *Feb* 20
  Royal Assent *Feb* 28 [31 *Vict.* c. 8]

Ecclesiastical Buildings and Glebes (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir Graham Montgomery*)
c. Ordered; read 1° * *Mar* 9 [Bill 58]

Ecclesiastical Commissioners—Estates of the Dean and Chapter of Westminster
Question, Mr. Goldney; Answer, Mr. Mowbray *Dec* 6, 641

Ecclesiastical Commissioners Orders in Council Bill [H.L.] (*The Lord Chancellor*)
l. Presented; read 1ª *Mar* 9, 1208 (No. 33)
Read 2ª * *Mar* 12
Committee *; Report *Mar* 13
Read 3ª, after short debate *Mar* 16, 1677
c. Read 1° * *Mar* 18 [Bill 69]
Question, Mr. Gladstone; Answer, Mr. G. Hardy *Mar* 20, 1983

Ecclesiastical Titles Bill
(*Mr. MacEvoy, Sir Joseph M'Kenna, Mr. Leader*)
c. Motion for Leave (*Mr. MacEvoy*) *Feb* 20, 992
Bill ordered, after debate; read 1° * [Bill 37]
Question, Mr. Schreiber; Answer, Mr. MacEvoy *Mar* 16, 1686

Education
Moved to Resolve, "1. That in the Opinion of this House the Education of the Working Classes in England and Wales ought to be extended and improved: Every Child has a moral Right to the Blessings of Education, and it is the Duty of the State to guard and maintain that Right. In the Opinion of this House the Diffusion of Knowledge ought not to be hindered by Religious Differences; nor should the early Employment of the Young in Labour be allowed to deprive them of Education: 2. That it is the Opinion of this House that Parliament and Government should aid in the Education of the Middle Classes by providing for the better Administration of Charitable Endowments: 3. That it is the Opinion of this House that the Universities of Oxford and Cambridge may be made more useful to the Nation by the Removal of Restrictions, and by the better Distribution of their large Revenues for Purposes of Instruction in connection with the said Universities: 4. That the Appointment of a Minister of Education by the Crown, with a Seat in the Cabinet, would, in the Opinion of this House, be conducive to the Public Benefit" (*Earl Russell*) *Dec* 2, 493; after debate, Question put; resolved in the negative
Question, Observations, Mr. W. E. Forster *Feb* 14, 734; Answer, The Chancellor of the Exchequer, 741
Art Catalogue—Publication of the Universal, Question, Mr. Dillwyn; Answer, Lord Robert Montagu *Mar* 9, 1218
Paris Universal Exhibition 1867, *Purchases,* Question, Mr. Layard; Answer, Lord Robert Montagu *Nov* 25, 167
Technical Education, Question, Mr. Samuelson; Answer, Lord Robert Montagu *Mar* 17, 1812

EDWARDS, Mr. C., *Windsor*
Army—Tenders for Clothing, 990

EGERTON, Mr. E. C. (Under Secretary of State for Foreign Affairs), *Macclesfield*
China—Ambassador from, 800

ELCHO, Lord, *Haddingtonshire*
Army—Breech-Loading Rifles, 142;—Fortifications, 1922, 1936
Casual and Vagrant Poor, 651
Metropolitan Streets Act (1867) Amendment, Lords Amendts. 660, 661

Election Petitions and Corrupt Practices at Elections Bill
(*Mr. Chancellor of the Exchequer, Mr. Secretary Gathorne Hardy, Sir Stafford Northcote*)
c. Motion for Leave (*Mr. Chancellor of the Exchequer*) *Feb* 13, 693
Bill ordered, after debate; read 1° * [Bill 27]
Moved, "That the Bill be now read 2°" (*Mr. Disraeli*) *Mar* 5, 1141; after short debate, Bill read 2°
Committee *; Report *Mar* 16 [Bill 63]

Electric Telegraphs—Purchase of the
Question, Sir Charles Bright; Answer, Mr. Hunt *Feb* 17, 800

Elementary Education Bill
(*Mr. Henry Austin Bruce, Mr. William Edward Forster, Mr. Algernon Egerton*)
c. Motion for Leave (*Mr. Bruce*) *Mar* 17, 1816
Bill ordered, after debate; read 1° * [Bill 64]

ELLENBOROUGH, Earl of
Abyssinian Expedition, Res. 584, 596
Habeas Corpus Suspension (Ireland) Act Continuance, 2R. 1068
Income Tax, 2R. 598

ELLICE, Mr. E., *St. Andrews, &c.*
Representation of the People (Scotland), 2R. 1262

ENFIELD, Viscount, *Middlesex*
London Coal and Wine Duties Continuance, 2R. 1144
Metropolis—East London, Distress in, 644;—Lambeth Workhouse, Motion for Papers, 2048
Police, Metropolitan, 1004
Public Schools, 2R. 769; Motion for a Select Committee, 2052
Special and Common Juries, Motion for a Committee, 924

Etwall and Repton Corporation
Question, Mr. Henley; Answer, Lord Robert Montagu *Mar* 9, 1223

EVANS, Mr. T. W., *Derbyshire, S.*
Cattle Plague Returns, 1287
Compounding for Rates, Res. 1918
Payment of Rates—The Compounding System, 1888

Ewart, Mr. W., *Dumfries, &c.*
  Murder Law Amendment, 989
  Weights and Measures (Metric System), Leave, 1072

Ewing, Mr. H. E. Crum- *Paisley*
  Representation of the People (Scotland), 2R. 1259

Exchequer, Chancellor of the, *see* Chancellor of the Exchequer

Expatriation, Law of
  Observations, Mr. W. E. Forster *Mar* 20, 1984; debate thereon

Extradition
  Select Committee appointed "to inquire into the state of our Treaty relations with Foreign Governments regarding Extradition, with a view to the adoption of a more permanent and uniform policy on the subject" (*Mr. M'Cullagh Torrens*) *Mar* 19, 1954; List of the Committee

Eykyn, Mr. R., *Windsor*
  Navy—Naval Chaplains, 536

Fairs (Ireland) Bill (*The Earl of Mayo, Mr. Attorney General for Ireland*)
  c. Motion for Leave (*The Earl of Mayo*) *Mar* 5, 1146
  Bill ordered; read 1°* [Bill 48]
  Read 2°* *Mar* 12
  Committee*; Report *Mar* 17
  Considered as amended* *Mar* 18
  Read 3°* *Mar* 19
  l. Read 1ª* (*The Lord Clinton*) *Mar* 20 (No. 47)

Fawcett, Mr. H., *Brighton*
  Abyssinian Expedition—Water Supply, 887, 889
  East India, Troops and Vessels (Abyssinian Expedition), Res. 380
  Fenian Convicts at Manchester, 116
  Ireland—Proposed Roman Catholic University, 1456
  Supply—Abyssinian Expedition, 305

Fenianism
  Clerkenwell Prison, Attack on, Question, Mr. Harvey Lewis; Answer, Mr. Gathorne Hardy *Mar* 9, 1215
  Maguire, Case of the Convict, Question, Mr. Watkin; Answer, Mr. Corry *Nov* 21, 107
  Manchester, Convicts at, Observations, Mr. Maguire *Nov* 21, 113; debate thereon
  Metropolis—Special Constables, Motion for "Return of the Number of Special Constables who have respectively enrolled themselves in the different Parishes of the Metropolis after the Explosion in Clerkenwell" (*The Lord Campbell*) *Mar* 19, 1880; Motion agreed to

Fergusson, Sir J. (Under Secretary of State for the Home Department), *Ayrshire*
  Metropolitan Streets Act (1867) Amendment, Comm. *add. cl.* 415; Lords' Amendts. 663
  Representation of the People (Scotland), Leave, 837; 2R. 1257

Fines and Fees (Ireland) Bill (*Mr. Hunt, Mr. Chancellor of the Exchequer*)
  c. Ordered; read 1°* *Feb* 18 [Bill 35]
  Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *Mar* 9, 1227
  Amendt. to leave out "now," and add "upon this day six months" (*General Dunne*); after short debate, Question, "That 'now,' &c.," put, and negatived; Bill put off for six months

Finlay, Mr. A. S., *Argyllshire*
  Indo-European Telegraph, 520

Fire Protection
  Question, Mr. M'Lagan; Answer, Mr. G. Hardy *Mar* 16, 1687

Fitzgerald, Lord O. A., *Kildare Co.*
  Ireland—Police Barracks, 1113

Fordyce, Mr. W. D., *Aberdeenshire*
  Scotland—Law of Hypothec, 1149;—Agricultural Labourers' Dwellings, 1287

Foreign Office and our Agents Abroad
  Question, Sir Percy Burrell; Answer, Lord Stanley *Dec* 5, 631

Foreign Office Clerks acting as Agents
  Question, Mr. Bayley Potter; Answer, Lord Stanley *Dec* 3, 542; Question, Mr. Wyld; Answer, Lord Stanley *Dec* 5, 606; Question, Mr. Bayley Potter; Answer, Lord Stanley *Feb* 20, 986

Foreshores and Bed of the Sea
  Question, Mr. Coleridge; Answer, Mr. Stephen Cave *Nov* 29, 419

Forster, Mr. C., *Walsall*
  Compounding for Rates, Res. 1904
  Parliamentary Boroughs—Payment of Rates, 437
  Poor Law—Walsall Workhouse, 631
  Private Bill Legislation, Res. Motion for Adjournment, 883
  Tortola—Alleged Submersion of, 92

Forster, Mr. W. E., *Bradford*
  Commerce, Tribunals of, 605;—Chambers of, 606
  Education, 734
  Expatriation, Law of, 1983, 2009
  United States—The "Alabama" Claims, Motion for an Address, 1178, 1181

Fortescue, Right Hon. Chichester S., *Louth Co.*
Habeas Corpus Suspension (Ireland) Act Continuance, 2R. 803
Ireland—State of, Motion for Committee, Motion for Adjournment, 1549, 1595
Representation of the People (Ireland), 1198; Leave, 1946

France—Arrests of Englishmen in
Question, Mr. Darby Griffith; Answer, Lord Stanley *Nov* 22, 150

French, Rt. Hon. Colonel F., *Roscommon Co.*
Army—Wooden Huts for Troops, Motion for an Address, 982
Habeas Corpus Suspension (Ireland) Act Continuance, 2R. 802
Ireland—Shannon River, Motion for a Committee, 994
Ministerial Statement—Resignation of the Earl of Derby, 1098
Parliament—House of Commons Arrangements, Motion for a Committee, 984
Representation of the People (Ireland), 1892; Leave, Motion for Adjournment, 1946

Friendly Societies Bill [H.L.]
(*The Earl of Lichfield*)
l. Presented; read 1ª* *Mar* 17 (No. 43)

Gallwey, Sir W. P., *Thirsk*
County Financial Boards (No. 1), Leave, 1206

Gaselee, Mr. Serjeant S., *Portsmouth*
Capital Punishment within Prisons, Leave, 996; 2R. Amendt. 1131
Compulsory Church Rates Abolition, 2R. 981; Comm. *cl.* 4, 1418; *cl.* 6, 1425
Court of Session (Scotland), Leave, 1087
Disfranchised Boroughs—Totnes, &c. 436
Fenian Convicts at Manchester, 119
Private Bill Legislation, Res. 884, 1809
Representation of the People (Scotland), 2R. 1268

Gavin, Major G., *Limerick City*
Habeas Corpus Suspension (Ireland) Act Continuance, Comm. *add. cl.* 938

Gibson, Right Hon. T. M., *Ashton-under-Lyne*
Metropolitan Foreign Cattle Market, 2R. 690
Private Bill Legislation, Res. Amendt. 1800
Sea Fisheries, Comm. 1269, 1273

Gilpin, Mr. C., *Northampton*
Capital Punishment within Prisons, 2R. 1135
Church Rates, 544
Compulsory Church Rates Abolition, 2R. 967
Oaths Commission, 800
Postal—Halifax, Bermuda, and St. Thomas Mails, Res. 633
  Island of St. Thomas, 508
  West India Mail Packet Station, 665
Slave Trade Papers, 1687

Gladstone, Right Hon. W. E., *Lancashire, S.*
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Church Rates Regulation, 2R. 1411, 1412, 1414
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Compulsory Church Rates Abolition, 2R. 957; Comm. *cl.* 3, 1416; *cl.* 4, Amendt. *ib.* 1421; *cl.* 5, 1422; Amendt. 1424, 1425; *cl.* 7, Amendt. 1426; *add. cl.* 1430, 1983
East India, Troops and Vessels (Abyssinian Expedition), Res. 390, 403
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Fenian Convicts at Manchester, 126
Ireland—State of, Motion for Committee, 1396, 1740
Irish Church, The, Notice of Motion, 1974
Ministerial Statement—Resignation of the Earl of Derby, 1098;—Re-construction of the Ministry, 1100
Parliamentary Boroughs—Payment of Rates, 441
Private Bill Legislation, Res. 1808
Public Schools, 2R. 762
Representation of the People (Ireland), 1201; Leave, 1951
Sale of Liquors on Sunday, 2R. 1851
Supply—Abyssinian Expedition, 295, 299
United States—The "Alabama" Claims, Motion for an Address, 1195
Ways and Means—The Abyssinian Expedition, Res. 344, 358

Gladstone, Mr. W. H., *Chester City*
Ireland—State of, Motion for Committee, 1725

Goldney, Mr. G., *Chippenham*
Compounding for Rates, Res. 1915
Compulsory Church Rates Abolition, Comm. *cl.* 5, 1424; *add. cl.* 1427, 1428
Dean and Chapter of Westminster, Estates of, 641
Election Petitions and Corrupt Practices at Elections, Leave, 726
Public Schools, Leave, 634
Turkey—Maintenance of the Ottoman Empire, 642

Goldsmid, Sir F. H., *Reading*
Election Petitions and Corrupt Practices at Elections, Leave, 704

Gordon, Right Hon. E. S., *see* Advocate, The Lord

Gorst, Mr. J. E., *Cambridge Bo.*
Ceylon—Affairs of, 2021
New Zealand—British Regiments in, 1979

Goschen, Right Hon. G. J., *London*
Bank Holidays, 2R. 947
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Compounding for Rates, Res. 1914
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  Local Taxation, 1011
  Metropolitan Streets Act (1867) Amendment, Comm. *cl.* 1, 414 ; Lords' Amendts. 662
  Parliamentary Boroughs—Payment of Rates, 444 ;—Personal Rating, 516
  Postal—Service with the United States, 685
  Public Schools, 1982

GRAHAM, Mr. W., *Glasgow*
  Postal—Communication with the United States—The Cunard Contract, 333 ;—India, China, and Japan Mails, Res. 475
  Representation of the People (Scotland), Leave, 841 ; 2R. 1255

Grand Jury Cess (Ireland) Bill
  (*Mr. Stacpoole, Mr. Corbally, The O'Conor Don*)
  c. Ordered ; read 1°* *Nov* 28 [Bill 14]

Grand Jury Presentments (*Ireland*)
  Select Committee appointed, "to inquire into the several Laws under which monies are now raised by Grand Jury Presentments in Ireland, and into the nature and incidence of all charges levied under such Presentments, with the view of ascertaining what alterations might beneficially be made in these Laws" (*The O'Conor Don*) *Mar* 17, 1830 ; List of the Committee

GRANVILLE, Earl
  Abyssinia—Papers, 153, 157
  Reform Act, 1867—Ratepaying Clauses, 1588

GRAVES, Mr. S. R., *Liverpool*
  Companies Amendment Act, 605
  Navy—Royal Dockyards, Res. 2034, 2046
  Postal Subsidies, Res. 2020

GRAY, Sir J., *Kilkenny Bo.*
  Ireland—Spirit Licence Duty, 431, 434

GREGORY, Mr. W. H., *Galway Co.*
  Ecclesiastical Titles, Leave, 993
  Fines and Fees (Ireland), 2R. 1230
  Ireland—Leasehold Property, 1452
    Royal Irish Academy, 1452
    * State of, Motion for Committee, 1703
  Juries "De Medietate Linguæ," 1449

GREVILLE-NUGENT, Mr. A. W. F., *Westmeath Co.*
  Ecclesiastical Titles, Leave, 992

GREY, Earl
  Habeas Corpus Suspension (Ireland) Act Continuance, 2R. 1060
  Reform Act, 1867—Ratepaying Clauses, 1586
  Regulation of Railways, 2R. 1964

GRIFFITH, Mr. C. Darby, *Devizes*
  Abyssinian Expedition, 426, 988
    Bounty to Volunteers, 677
    Mission of Mr. Rassam, 679
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  Address in Answer to the Speech, Report, 93
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  Andover, Late Member for, 535
  Capital Punishment within Prisons, Leave, 995
  Compulsory Church Rates Abolition, Comm. *add. cl.* 1429, 1430
  Election Petitions and Corrupt Practices at Elections, Leave, 726
  France—Arrests of Englishmen, 150
  Habeas Corpus Suspension (Ireland) Act Continuance, 2R. 809
  Income Tax, 2R. 476 ; Comm. *cl.* 3, 521
  Ireland—Party Processions, 1592
  Metropolis—Hackney Carriages Lamps Regulation, 510
  Mutiny Bill, 1815, 1826
  Parliamentary Boroughs—Payment of Rates, 443
  Privilege—Production of Public Documents, 666
  Public Schools, 2R. 769
  Ratepaying Clauses, 1893
  Representation of the People (Scotland), 2R. 1260
  Spain—The "Queen Victoria," 641, 1002
  Totnes, &c. Writs, 3R. 546
  Ways and Means—The Abyssinian Expedition, Res. 357 ;—Income Tax, Res. 449

GURNEY, Rt. Hon. Russell, *Southampton*
  Election Petitions and Corrupt Practices at Elections, Leave, 708

Habeas Corpus Suspension (Ireland) Act Continuance Bill
  (*The Earl of Mayo, Mr. Secretary Gathorne Hardy, Mr. Attorney General*)
  c. Motion for Leave (*The Earl of Mayo*) *Feb* 14, 775
    Bill ordered, after debate ; read 1°* [Bill 28]
    Moved, "That the Bill be now read 2°" (*The Earl of Mayo*) *Feb* 17, 802 ; after short debate, Bill read 2°
    Committee ; Report *Feb* 18, 932
    Moved, "That the Bill be now read 3°" (*Mr. G. Hardy*) *Feb* 19, 982 ; after short debate, Bill read 3°
  l. Read 1ª* (*The Earl of Malmesbury*) *Feb* 20
    Moved, "That the Bill be now read 2ª" *Feb* 24, 1053 ; after long debate, Bill read 2ª (No. 18)
    Committee* ; Report *Feb* 25
    Read 3ª* *Feb* 27
    Royal Assent *Feb* 28 [31 *Vict.* c. 7]

Habeas Corpus Suspension Acts, &c. (*Ireland*)
  Moved, "That there be laid before this House, a Return of the number of times the Habeas Corpus Act has been suspended in Ireland since the passing of the Act of Union ; the number of Arms Acts, Whiteboy and other Acts of repression in Ireland passed since the said Act of Union ; the number of Persons sentenced to death, transportation, and imprisonment in each year for political offences ; and a Statement of the Acts under which each person has been so sentenced" (*Mr. Rearden*) *Mar* 19, 1939 ; after short debate, Question put, and negatived

Hadfield, Mr. G., *Sheffield*
- Capital Punishment within Prisons, Leave, 996
- Church Rates, 506
- Oaths, Report of Commissioners on, 333
- Representation of the People (Scotland), 2R. Amendt. 1234, 1264
- Scotland—Tolls on the Bridge of Dunkeld, 886

Hamilton, Right Hon. Lord C. (Vice Chamberlain of the Household), *Tyrone Co.*
- Industrial Schools (Ireland), 2R. 931
- Ireland—State of, Motion for Committee, 1620

Hamilton, Mr. E. W. T., *Salisbury*
- Compound Householder, The, 795, 796, 797

Hankey, Mr. T., *Peterborough*
- Compulsory Church Rates Abolition, Comm. *add. cl.* 1427
- Consolidated Account, Charges on the, 1221
- Financial Statement, The, 1892
- Metropolis—New Palace Yard, 1150;—Thames Embankment, 1686
- Water Supply Commission, 1685
- Ways and Means—The Abyssinian Expedition, Res. 355

Hardcastle, Mr. J. A., *Bury St. Edmunds*
- Church Rates Regulation, 2R. Amendt. 1407, 1408
- Compulsory Church Rates Abolition, 2R. 973; Re-comm. *cl.* C, Amendt. 2054
- Saxony—Diplomatic Relations with, 519

Hardwicke, Earl of
- Address in Answer to the Speech, 24
- Habeas Corpus Suspension (Ireland) Act Continuance, 2R. 1059

Hardy, Right Hon. G. (Secretary of State for the Home Department), *Oxford University*
- Baby Farming in the Metropolis, 1449
- Boundary Commission, 733, 1218; Report, 1397
- Cab Fares, 1398
- Capital Punishment within Prisons, 176; Leave, 995; 2R. 1127
- Church Rates, 544
- Coal Fields of Great Britain, 332
- Coal Mines, Regulation of, 941
- Compounding for Rates, Res. 1919
- Compulsory Church Rates Abolition, 2R. 977
- Ecclesiastical Commissioners Orders in Council, 1983
- Ecclesiastical Titles, Leave, 993
- Elementary Education, Leave, 1826
- Fenian Convicts at Manchester, 122
- Fenianism—Attack on Clerkenwell Prison, 1215
- Fire Protection, 1687
- Habeas Corpus Suspension (Ireland) Act Continuance, Comm. *add. cl.* 939; 3R. 982
- Ireland—State of, Motion for Committee, 1532, 1537, 1540
- Maguire, Convict, Case of, 107

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- Marriage Law Commission, 510
- Metropolis—Hackney Carriages Lamps Regulation, 510
- Metropolitan Streets Act (1867) Amendment, Leave, 107, 112; 2R. 170; Comm. *cl.* 1, 407, 409, 412, 414; *add. cl.* 416; Lords' Amendts. 657, 663, 664
- Murder Law Amendment, 989
- Newspaper Offices, Hours of Labour in, 652
- Oaths, Report of Commissioners on, 333, 800
- Oxford and Cambridge Universities, Leave, 927
- Police, Metropolitan, 1005
- Pollution of Rivers, 1072
- Poor Law—Vagrancy, 1450;—Bethnal Green Workhouse, 1454
- Portland Convict Prison, 179
- Remission of Sentences, Motion for an Address, 564
- Ritual Commission, Recommendations of the, 164
- Roman Catholic Prisoners, 548, 550
- Sale of Liquors on Sunday, 2R. 1857, 1869
- Salmon Fisheries in the Solway, 427
- Scotland—Public Roads, 181
- Sewage Obstructions in the River, 1220
- Spirit, Wine, and Beer Licences, 331
- Water Supply Commission, 1685

Harrowby, Earl of
- Abyssinian Expedition, Res. 594

Hay, Lord J., *Ripon*
- Abyssinia—Water Supply, 540
- Turkey—Epirus and Thessaly, 512

Hayter, Captain A. D., *Wells*
- Navy—Training Ship "Chichester," 542

Headlam, Right Hon. T. E., *Newcastle-upon-Tyne*
- Parliament—House of Commons' Arrangements, 509; Motion for Committee, 983, 984
- Spain—Destruction of the "Mermaid," 328

Henderson, Mr. J., *Durham City*
- Coal Fields of Great Britain, 332

Henley, Lord, *Northampton*
- Compounding for Rates, Res. 1915
- Parliamentary Boroughs—Payment of Rates, 438

Henley, Right Hon. J. W., *Oxfordshire*
- Compounding for Rates, 1911
- Compulsory Church Rates Abolition, 2R. 964; Comm. *cl.* 1, 1415; *cl.* 4, 1416, 1418; *cl.* 5, 1423; *cl.* 8, 1427; *add. cl.* 1430; Consid. Amendt. 1830
- Election Petitions and Corrupt Practices at Elections, Leave, 714
- Etwall and Repton Corporation, 1223
- Fines and Fees (Ireland), 2R. 1231
- Parliamentary Boroughs—Payment of Rates, 440, 442
- Private Bill Legislation, Res. 1805
- Sale of Liquors on Sunday, 2R. 1863

HERBERT, Mr. H. A., *Kerry Co.*
Ireland—State of, Motion for Committee, 1627

HEYGATE, Sir F. W., *Londonderry Co.*
Ireland—County Gaols, 332;—State of, Motion for Committee, Amendt. 1323

HIBBERT, Mr. J. T., *Oldham*
Capital Punishment within Prisons, 176; Leave, 996; 2R. 1139
Compulsory Church Rates Abolition, Comm. *cl.* 4, 1419
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HODGKINSON, Mr. G., *Newark-upon-Trent*
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HOGG, Colonel J. M., *Bath*
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Honduras—Treaty of Guarantee
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Hong Kong and Heligoland—Gambling in
Question, Lord Taunton; Answer, The Duke of Buckingham *Dec* 3, 523

HOPE, Mr. A. J. Beresford, *Stoke-on-Trent*
Church Rates Regulation, 2R. 1407, 1408
Compulsory Church Rates Abolition, Comm. *cl.* 5, 1423
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HORSFALL, Mr. T. B., *Liverpool*
Sale of Liquors on Sunday, 2R. 1867

HORSMAN, Right Hon. E., *Stroud*
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Ireland—State of, Motion for Committee, Motion for Adjournment, 1396, 1459, 1466, 1537, 1540, 1776
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HOTHAM, Lord, *Yorkshire, E.R.*
Private Bill Legislation, Res. 883; Amendt. 1797, 1811
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HOUGHTON, Lord
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Hours of Labour Regulation Act—Newspaper Offices
Question, Mr. Lanyon; Answer, Mr. Gathorne Hardy *Dec* 6, 652

HUBBARD, Mr. J. G., *Buckingham*
Church Rates Regulation, 2R. 1398, 1414
Compulsory Church Rates Abolition, 2R. 974; Comm. *cl.* 3, Amendt. 1416; *cl.* 4, 1418; Amendt. 1420, 1422; *cl.* 7, 1426; *cl.* 9, Amendt. 1427

HUGHES, Mr. T., *Lambeth*
Ireland—State of, Motion for Committee, 1503
Metropolis—Lambeth Workhouse, Motion for Papers, 2049
Metropolitan Tramways, 2R. 1112
Sale of Liquors on Sunday, 2R. 1865

HUNT, Mr. G. W. (Secretary to the Treasury, afterwards Chancellor of the Exchequer), *Northamptonshire, N.*
Abyssinia—Presents from King Theodore, 643
Charitable Institutions, Rating of, 332
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Income Tax, 2R. 477; Comm. *cl.* 2, 521; *cl.* 3, 522; 3R. 546
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  Churchward, Mr., 1072
  Communication with the United States—The Cunard Contract, 334, 418
  Halifax, Bermuda, and St. Thomas Mails, Res. 632
  India, China, and Japan Mails, Res. 450, 469, 472
  Postage Rates to India, 167
  St. Thomas, Island of, 509
  Service with the United States, 683, 686, 987
  West India Mail Packet Station, 666
Probate Duty, 648, 729
Public Departments (Extra Receipts), 2R. 692
Registry of Deeds Office (Ireland), Motion for Committee, 1078
Valuation of Property, 602
Ways and Means—The Abyssinian Expedition, Res. 339, 348
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HUTT, Right Hon. Sir W., *Gateshead*
Railways and Joint Stock Companies, Leave, 1280
Rating under the Representation of the People Act, 167;—Personal Rating, 518

HYLTON, Lord
Address in Answer to the Speech, 12

Inclosure Bill
(*Sir James Fergusson, Mr. Secretary G. Hardy*)
c. Ordered * *Mar* 13; read 1° * *Mar* 20 [Bill 73]

Income Tax Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Hunt*)
c. Resolution in Ways and Means [November 28] reported *Nov* 29, 448 [Bill 16]
After short debate, Bill ordered; read 1° *
Moved, "That the Bill be now read 2°" (*Mr. Hunt*) *Nov* 30, 476; after short debate, Bill read 2°
Committee; Report *Dec* 2, 521
Bill read 3°, after short debate *Dec* 3, 455
l. Read 1ª * (*The Earl of Derby*) *Dec* 3
Moved, "That the Bill be now read 2ª" (*The Earl of Derby*) *Dec* 5, 598; after short debate, Bill read 2ª; Committee negatived
Bill read 3ª, after short debate *Dec* 6, 635
Royal Assent *Dec* 7 [31 *Vict.* c. 2]

India
Abyssinian Expedition—East India, Troops and Vessels—Resolution in Committee—See title—*East India, Troops and Vessels*
Architectural Remains in, Question, Mr. Layard; Answer, Sir Stafford Northcote *Dec* 5, 631
Army—India and the Colonies, Select Committee appointed "to inquire into the duties performed by the British Army in India and the Colonies, and also how far it might be desirable to employ certain portions of Her Majesty's Native Indian Army in our Colonial and Military dependencies, or to organize a force of Asiatic Troops for general service in suitable climates" (*Major Anson*) *Mar* 6, 1207; List of the Committee
Banda and Kirwee Prize Money, Question, Mr. Nevile-Grenville; Answer, Sir Stafford Northcote *Feb* 21, 1008
Bank of Bombay, Question, Mr. Dyce Nicol; Answer, Sir Stafford Northcote *Feb* 20, 987; *Mar* 16, 1681
Bombay—Governor of, Question, Mr. Otway; Answer, Sir Stafford Northcote *Dec* 6, 652
British Rule in, Question, Mr. Kinnaird; Answer, Sir Stafford Northcote *Feb* 14, 731
Commission on Currency Laws, Question, Mr. White; Answer, Sir Stafford Northcote *Mar* 5, 1112
East India Canal Company, Questions, Mr. Smollett, Mr. Otway, Colonel Sykes; Answers, Sir Stafford Northcote *Feb* 20, 989
Indian Budget, Question, Mr. Waldegrave-Leslie; Answer, Sir Stafford Northcote *Mar* 16, 1680
Indian Colonels, Promotion of, Question, Captain Vivian; Answer, Sir John Pakington *Mar* 19, 1887
Indian Council, Question, Mr. Alderman Lusk; Answer, Sir Stafford Northcote *Dec* 6, 642
Indian Financial Statement, Question, Mr. Waldegrave-Leslie; Answer, Sir Stafford Northcote *Mar* 16, 1680; Question, Mr. Crawford; Answer, Sir Stafford Northcote *Mar* 20, 1982
Irrigation Works, Question, Mr. Kinnaird; Answer, Sir Stafford Northcote *Feb* 18, 890—*East India Irrigation Company*, Question, Mr. Otway; Answer, Sir Stafford Northcote *Dec* 6, 646; Question, Mr. Smollett; Answer, Sir Stafford Northcote *Feb* 17, 798—*Madras Irrigation Company*, Question, Mr. Smollett; Answer, Sir Stafford Northcote *Feb* 24, 1073

India—cont.
Lawrence's, Sir John, Circular, Question, The Duke of Argyll; Answer, The Earl of Malmesbury *Feb* 20, 985
Officers of the late Indian Navy, Question, Mr. Surtees; Answer, Sir Stafford Northcote *Mar* 20, 1980
Sindh Railway, Question, Viscount Cranborne; Answer, Sir Stafford Northcote *Mar* 20, 1981

Telegraphic Communication with India
Direct Telegraphic Communication, Question, Captain Vivian; Answer, Sir Stafford Northcote *Feb* 21, 1008
Indo-European Telegraph Lines, Question, Mr. Finlay; Answer, Sir Stafford Northcote *Dec* 2, 520
Suez and India Submarine Telegraph, Question, Mr. O'Beirne; Answer, Sir Stafford Northcote *Dec* 2, 509

Indian Railway Companies Bill
(*Sir Stafford Northcote, Mr. Sclater-Booth*)
c. Ordered; read 1° * *Mar* 9 [Bill 55]

Industrial Schools (Ireland) Bill
(*The O'Conor Don, Mr. Monsell, Mr. Leader*)
c. Ordered; read 1° * *Nov* 25 [Bill 6]
Moved, "That the Bill be now read 2°" (*The O'Conor Don*) *Feb* 18, 930; after short debate, Bill read 2°

Inland Revenue Commissioners, Report of
Question, Mr. Crawford; Answer, Mr. Hunt *Feb* 14, 729

Ireland
Catholic University (Ireland), Question, Mr. Maguire; Answer, The Earl of Mayo *Nov* 22, 142; Question, Mr. Fawcett; Answer, The Earl of Mayo *Mar* 12, 1456; Question, Mr. Lowe; Answer, The Earl of Mayo *Mar* 19, 1891
Cork Harbour—Daunt's Rock, Question, Mr. Maguire; Answer, Mr. Stephen Cave *Feb* 17, 794
County Gaols, Question, Sir Frederick Heygate; Answer, The Earl of Mayo *Nov* 28, 332
Dietary of County Prisons, Question, Mr. Blake; Answer, The Earl of Mayo *Feb* 28, 1102
Established Church (Ireland), Notice of Resolutions (*Mr. Gladstone*) *Mar* 20, 1974
Grand Jury Presentments (Ireland)—See that title
Habeas Corpus Suspension Acts—Returns—See that title
Irish Church Commissioners' Report, Question, Mr. M'Cullagh Torrens; Answer, Mr. Clive *Mar* 12, 1457; Question, Lord Stanley of Alderley; Answer, Earl Stanhope *Mar* 17, 1795
Irish Church Revenues, Question, Sir Patrick O'Brien; Answer, The Earl of Mayo *Dec* 6, 645
Landlord and Tenant—Legislation, Question, Mr. O'Beirne; Answer, The Earl of Mayo *Feb* 17, 799
Leases, Question, Mr. Gregory; Answer, The Earl of Mayo *Mar* 12, 1452

Ireland—cont.

Medical Officer of Mountjoy Convict Prison, Question, Mr. Blake; Answer, The Earl of Mayo *Feb* 28, 1102
Party Processions Act, Question, Sir Charles Lanyon; Answer, The Earl of Mayo *Mar* 20, 1977
Police Barracks, Question, Lord Otho Fitzgerald; Answer, The Earl of Mayo *Mar* 5, 1113
Processions (*Ireland*), Address for Papers (*Lord Dufferin*) *Dec* 3, 528; after short debate, Motion withdrawn; Question, Mr. Lanyon; Answer, The Earl of Mayo *Dec* 7, 675; Questions, Colonel Stuart Knox, Mr. Darby Griffith; Answers, The Earl of Mayo *Mar* 13, 1591
Quarter Sessions Courts, Question, The Marquess of Clanricarde; Answer, The Lord Chancellor *Mar* 17, 1794
Railways, Instructions to the Commissioners—See title *Railways*
Registry of Deeds Office—See that title
Revision of the Irish Ordnance Map, Question, Mr. Stacpoole; Answer, Mr. Stephen Cave *Mar* 12, 1451
Royal Irish Academy, Question, Mr. Gregory; Answer, The Earl of Mayo *Mar* 12, 1452
Seditious Speaking, Alleged—Rev. Mr. Ferrars, Questions, Mr. Cogan, Mr. Bentinck; Answers, The Attorney General for Ireland *Mar* 16, 1681
Shannon River, Moved, That a Select Committee be appointed, "to inquire into the manner in which the drainage and navigation of the River Shannon has been carried out under the direction of Her Majesty's Government, and what steps should be taken to complete the work for which a compulsory levy of £300,000 has been made on the adjoining counties" (*Colonel French*) *Feb* 20, 994; after short debate, Motion agreed to; List of the Committee
Small Debts Recovery, Question, Mr. Dawson; Answer, The Attorney General for Ireland *Mar* 16, 1679
Spirit Licence Duty, Observations, Sir John Gray; Reply, Mr. Hunt *Nov* 29, 431; short debate thereon
Sullivan and Pigott, Messrs., Treatment of, Question, Mr. Stock; Answer, The Earl of Mayo *Mar* 17, 1814; Question, Mr. Rearden; Answer, The Earl of Mayo *Mar* 19, 1891

Ireland, State of, Motion for Committee
Moved, "That this House will immediately resolve itself into a Committee, with the view of taking into consideration the condition and circumstances of Ireland" (*Mr. Maguire*) *Mar* 10, 1288
Amendt. To leave out from "That" and add "the constant recurrence of impracticable resolutions and the proposal or suggestion of extravagant and impossible remedies are the great obstacles to the restoration of peace in Ireland, and to the prosperity of the Irish people" (*Mr. Neate*), 1314; Question, "That the words, &c.;" Amendt. withdrawn
Another Amendt. To leave out from "That" and add "before the consideration by this House of constitutional changes in the laws [*cont.*

Ireland, State of, Motion for Committee—cont.
and institutions of Ireland, it is both just and expedient to inquire into the causes of alleged discontent, and the best mode of remedying the same" (*Sir Frederick Heygate*), 1323; Question, "That the words, &c.;" debate adjourned
Debate resumed *Mar* 12, 1458; after long debate, Debate further adjourned
Debate resumed *Mar* 13, 1593; after long debate, Debate further adjourned
Debate resumed *Mar* 16, 1688; after long debate, Amendt. and Motion withdrawn

Italy—The Roman Question—The Proposed Conference
Question, Sir Henry Winston-Barron; Answer, Lord Stanley *Dec* 2, 512; Question, Earl Russell; Answer, The Earl of Derby *Dec* 5, 599
Papal Government and Mr. Odo Russell, Question, Sir Thomas Lloyd; Answer, Lord Stanley *Nov* 25, 162

JERVOISE, Sir J. Clarke, *Hampshire, S.*
Contagious Diseases Acts, 1889
Privy Council, Medical Officer of the, 1812
Turkey—Sanitary Regulations, 1811

Judgment Debtors Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª* *Mar* 9 (No. 32)

Judgments Extension Bill
(*Mr. Craufurd, Mr. Huddleston, Mr. Moncreiff, Mr. Dunlop*)
c. Ordered; read 1º* *Feb* 18 [Bill 34]
Read 2º* *Mar* 5

Juries "De Medietate Linguæ"
Question, Mr. Gregory; Answer, The Attorney General *Mar* 12, 1449

Juries, Special and Common
Moved, "That a Select Committee be appointed to inquire and take evidence as to the Law and practice relating to the summoning, attendance, and remuneration of Special and Common Juries, and to report to the House as to any alterations which ought to be made therein" (*Viscount Enfield*) *Feb* 18, 924; Motion agreed to; List of the Committee, 926

KARSLAKE, Sir J. B., *see* Attorney General, The

KENDALL, Mr. N., *Cornwall, E.*
Compulsory Church Rates Abolition, Comm. *cl.* 5, 1424
Ireland — State of, Motion for Committee, 1739
Parliamentary Boroughs—Payment of Rates, 443

KIMBERLEY, Earl of
Tenure (Ireland), 1R. 1048

KING, Hon. P. J. Locke, *Surrey, E.*
Richmond Park, 1680
Sale of Liquors on Sunday, 2R. 1871

KINNAIRD, Hon. A. F., *Perth*
Income Tax, 3R. 545
India — British Rule in, 731; — Irrigation Works, 890
Metropolitan Streets Act (1867) Amendment, Lords' Amendts. 660
Postal—West India Mail Packet Station, 665, 731
Probate Duty, 648, 729
Representation of the People (Scotland), 1103; 2R. 1263

KNATCHBULL-HUGESSEN, Mr. E. H., *Sandwich*
Capital Punishment within Prisons, 2R. 1134
Election Petitions and Corrupt Practices at Elections, Leave, 702, 728
Sale of Liquors on Sunday, 2R. 1871

KNOX, Hon. Colonel W. Stuart, *Dungannon*
Ireland—Party Processions, 1591

KNOX, Colonel B. W., *Marlow* (*Great*)
Metropolitan Streets Act (1867) Amendment, Comm. *cl.* 1, 413

LABOUCHERE, Mr. H., *Middlesex*
London Coal and Wine Duties Continuance, Leave, 1080
Metropolitan Streets Act (1867) Amendment, 2R. 170; Comm. *cl.* 1, 412
Sale of Liquors on Sunday, 2R. 1847, 1850
Supply—Abyssinian Expedition, 238

LAING, Mr. S., *Wick, &c.*
East India, Troops and Vessels (Abyssinian Expedition), Res. 396
Private Bill Legislation, Res. 1804
Representation of the People (Scotland), Leave, 825; 2R. 1261
Ways and Means—The Abyssinian Expedition, Res. 350

Lambeth Library
Question, Mr. Waldegrave-Leslie; Answer, Mr. Mowbray *Dec* 5, 602

Lancaster, Duchy of—Office of Prothonotary
Question, Mr. Goschen; Answer, Colonel Wilson-Patten *Dec* 6, 649

Land Writs Registration (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Gathorne Hardy, Mr. Walpole*)
c. Motion for Leave (*The Lord Advocate*) *Mar* 9, 1282
Bill ordered; read 1° * [Bill 56]

Landed Property Improvement (Ireland) Bill (*Mr. Pim, Mr. O'Beirne*)
c. Motion for Leave (*Mr. Pim*) *Feb* 18, 928
Bill ordered; read 1° * [Bill 32]

LANYON, Sir C., *Belfast*
Ireland—Illegal Processions, 675, 1977
Newspaper Offices, Hours of Labour in, 651

LAWRENCE, Mr. Alderman W., *London*
Life Policies Nomination, 2R. 953
Metropolitan Streets Act (1867) Amendment, Leave, 110; 2R. 172; Comm. *add. cl.* 414, 416; Lords' Amendts. 663

LAWSON, Right Hon. J. A., *Portarlington*
Fines and Fees (Ireland), 2R. 1231
Representation of the People (Ireland), Leave, 1950

LAYARD, Mr. A. H., *Southwark*
Abyssinia—Dr. Beke and Mr. Layard, 649, 650;
Motion for Papers, 668, 672
Foreign Office, The, 607, 617, 622
India—Architectural Remains, 631
Metropolis—British Museum, 166;—Burlington House, 1454
Paris Exhibition Purchases, 167
Privilege—Production of Public Documents, 667
Supply—Abyssinian Expedition, 245

LEEMAN, Mr. G., *York City*
Compulsory Church Rates Abolition, Comm. *cl.* 4, 1420

Lee River Conservancy Bill
(*Mr. Stephen Cave, Mr. Ayrton, Mr. Hunt*)
c. Motion for Leave (*Mr. Stephen Cave*) *Feb* 20, 997
Bill ordered, after debate; read 1° * [Bill 38]
Read 2° * *Mar* 11, and referred to a Select Committee
Select Committee nominated; List of the Committee *Mar* 17, 1831

LEFEVRE, Mr. G. J. Shaw, *Reading*
Life Policies Nomination, 2R. 952, 957
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Legitimacy Declaration (Ireland) Bill
[H.L.] (*The Marquess of Clanricarde*)
l. Presented; read 1ª * *Mar* 5 (No. 27)

LEITRIM, Earl of
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LENNOX, Lord H. G. C. G. (Secretary to the Admiralty), *Chichester*
Navy—Admiralty Monies and Accounts, Motion for a Committee, 923
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LEWIS, Mr. Harvey, *Marylebone*
- Artizans' and Labourers' Dwellings, 2R. 1431
- Fenianism — Attack on Clerkenwell Prison, 1215
- Local Taxation, 1037
- Metropolis—Ornamental Water in the Regent's Park, 1221
- Metropolitan Tramways, 2R. Amendt. 1109
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- Sale of Liquors on Sunday, 2R. 1868, 1869

Libel Bill (*Sir Colman O'Loghlen, Mr. Baines*)
- *c.* Ordered; read 1° * *Nov* 22 [Bill 3]
- Question, Mr. Newdegate; Answer, Sir Colman O'Loghlen *Nov* 26, 176
- Moved, "That the Bill be now read 2°" (*Sir Colman O'Loghlen*) *Nov* 27, 306
- Amendt. to leave out "now," and add "upon this day fortnight" (*Mr. Newdegate*); Question, "That 'now' &c.;" after short debate, Amendt. and Motion withdrawn; second reading deferred

Licensing Bill [H.L.] (*The Earl of Lichfield*)
- *l.* Presented; read 1ª * *Mar* 19 (No. 45)

Life Policies Nomination Bill
(*Mr. Shaw-Lefevre, Mr. Hibbert, Mr. T. Hughes*)
- *c.* Ordered; read 1° * *Nov* 29 [Bill 19]
- Moved, "That the Bill be now read 2°" (*Mr. Shaw-Lefevre*) *Feb* 19, 952; after short debate, Bill read 2°

LIFFORD, Viscount
- Tenure (Ireland), 2R. 1439

LLOYD, Sir T. D., *Cardiganshire*
- Papal Government and Mr. Odo Russell, 162

Local Officers Superannuation (Ireland) Bill (*Sir Colman O'Loghlen, Mr. Pim, Sir John Gray*)
- *c.* Ordered; read 1° * *Nov* 29 [Bill 17]

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- Observations, Mr. Goschen; long debate thereon *Feb* 21, 1011

LOCKE, Mr. J., *Southwark*
- Election Petitions and Corrupt Practices at Elections, Leave, 725
- Metropolitan Streets Act (1867) Amendment, Leave, 111; 2R. 173; Comm. *cl.* 1, 411; *add. cl.* 415
- Sale of Liquors on Sunday, 2R. Amendt. 1840, 1870

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- Charge of the Bishop of Salisbury, 140
- Universities and the Established Church, 1872

London Coal and Wine Duties Continuance Bill
(*Mr. Dodson, Lord John Manners, Mr. Hunt*)
- *c.* Committee *Feb* 24, 1079; Resolution agreed to
- Bill ordered; read 1° *
- Moved, "That the Bill be now read 2°" (*Lord John Manners*) *Mar* 5, 1144; after short debate, Bill read 2° [Bill 43]

LONGFORD, Earl of (Under Secretary of State for War)
- Army — Conveyance of Troops — The War Office and India Office, 175; — Shrapnel Shell, 1148
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- Election Petitions and Corrupt Practices at Elections, Leave, 709
- Ireland — State of, Motion for Committee, 1483;—Roman Catholic University Charter, 1891
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LOWTHER, Mr. J., *York City*
- Public Schools, Motion for a Select Committee, 2052

LUSK, Mr. Alderman A., *Finsbury*
- Compulsory Church Rates Abolition, Comm. *cl.* 6, 1425
- Deal Boatmen, Charges by, 1115
- Indian Council, The, 642
- Metropolitan Streets Act (1867) Amendment, Leave, 113; Lords' Amendts. 661
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- Spain—The "Tornado" Question, 1455

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- Abyssinian Expedition, Res. 592
- Address in Answer to the Speech, 32
- Income Tax, 3R. 635
- Metropolitan Streets Act (1867) Amendment, Report, *add. cl.* 578
- Promissory Oaths, 2R. 855
- Victoria—Appropriation Act, Motion for an Address, 1108

MACEVOY, Mr. E., *Meath Co.*
- Ecclesiastical Titles, Leave, 992, 1687

MCKENNA, Sir J. N., *Youghal*
- Ireland, State of, Motion for Committee, 1608

MACKINNON, Captain L. B., *Rye*
- Navy—Wooden Ships, Motion for Returns, 1952
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- Turkey—Appointment of Sir W. Wiseman, 1071

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- Cattle Plague—Outbreak in Berwickshire, 419
- Fire Protection, 1687
- Representation of the People (Scotland), 2R 1253

McLaren, Mr. D., *Edinburgh*
  Bank Holidays, 2R. 951
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  Select Committee appointed, "to inquire into the operation of the Malt Tax" (*Colonel Barttelot*) *Mar* 10, 1397; List of the Committee

Manners, Right Hon. Lord J. J. R. (Chief Commissioner of Works, &c.), *Leicestershire, N.*
  Compulsory Church Rates Abolition, Comm. *cl.* 4, 1421, 1422
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  (*Mr. Dodson, Mr. Corry, Lord Henry Lennox*)
  c. Ordered; read 1°* *Mar* 20

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  East London Museum Site, 2R. 574; Explanation, 639, 640; Report, 859, 861
  Ecclesiastical Commissioners Orders in Council, 3R. 1678
  Education, Res. 482; Previous Question moved, 493
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Mayo, Earl of (Chief Secretary for Ireland), *Cockermouth*
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Melly, Mr. G., *Stoke-upon-Trent*
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Mercantile Marine—Legislation
  Question, Mr. O'Beirne; Answer, Mr. Stephen Cave *Dec* 3, 536

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  Baby Farming in the, Question, Mr. Vanderbyl; Answer, Mr. Gathorne Hardy *Mar* 12, 1449
  Burlington House—The Royal Academy, Question, Mr. Layard; Answer, Lord John Manners *Mar* 12, 1454
  Cab Fares, Question, Mr. Thomas Chambers; Answer, Mr. Gathorne Hardy *Mar* 11, 1398

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Metropolitan Board of Works
Financial Returns, Question, Colonel Sykes; Answer, Mr. Sclater-Booth *Mar* 20, 1980
Local Taxation, Observations, Mr. Goschen; long debate thereon *Feb* 21, 1011
Navigation of the Thames—The Main Drainage Outfall, Question, Mr. Crawford; Answer, Mr. Stephen Cave *Nov* 21, 105; Question, Lord Eustace Cecil; Answer, Mr. Gathorne Hardy *Mar* 9, 1220
Thames Embankment, Question, Mr. Thomson Hankey; Answer, Mr. Stephen Cave *Mar* 16, 1686
Westminster Improvements—Great George Street, Question, Mr. Buxton; Answer, Lord John Manners *Mar* 20, 1977

Metropolitan Police, Question, Viscount Enfield; Answer, Mr. Gathorne Hardy *Feb* 21, 1004
New Houses of Parliament, The—Cartoon in Westminster Hall, Question, Mr. Monk; Answer, Lord John Manners *Mar* 16, 1685 —*New Palace Yard, Entrance by*, Question, Mr. Thomson Hankey; Answer, Lord John Manners *Mar* 6, 1150
Regent's Park—The Ornamental Water, Question, Mr. Thomas Chambers; Answer, Lord John Manners *Nov* 22, 145; Question, Mr. Harvey Lewis; Answer, Lord John Manners *Mar* 9, 1221
Richmond Green and Hyde Park, Question, Lord Ernest Bruce; Answer, Lord John Manners *Mar* 9, 1223
Richmond Park—Roehampton Gate, Question, Mr. Locke King; Answer, Lord John Manners *Mar* 16, 1680
Special Constables, Motion for "Return of the Number of Special Constables who have respectively enrolled themselves in the different Parishes of the Metropolis after the explosion in Clerkenwell" (*The Lord Campbell*) *Mar* 19, 1880; Motion agreed to

Metropolis Gas Bill
(*Mr. Morrison, Mr. Locke, Mr. Gorst*)
c. Ordered; read 1° * *Mar* 5 [Bill 49]

Metropolis Gas Bills
Moved, "That all Bills relating to Gas Companies in the Metropolis be referred to a Select Committee of Five Members" (*Mr. Ayrton*) *Feb* 24, 1080; Motion agreed to

Metropolis Subways Bill
(*Mr. Ayrton, Mr. Tite, Colonel Hogg*)
c. Ordered; read 1° * *Feb* 20 [Bill 41]
Moved, "That the Bill be now read 2°" (*Mr. Ayrton*) *Mar* 9, 1278; after short debate, Bill read 2°

Metropolitan Foreign Cattle Market Bill
(*Lord Robert Montagu, Mr. Hunt*)
c. Motion for Leave (*Lord Robert Montagu*) *Dec* 5, 635
Bill ordered, after debate; read 1° * [Bill 25]
Bill read 2°, after short debate, and committed to a Select Committee of Ten Members, Five to be nominated by the House, and Five by the Committee of Selection *Feb* 13, 690
Select Committee nominated; List of the Committee *Feb* 17, 850

Metropolitan Streets Act (1867) Amendment Bill
(*Mr. Secretary G. Hardy, Sir James Fergusson*)
c. Motion for Leave (*Mr. G. Hardy*) *Nov* 21, 107
Bill ordered, after debate; read 1° * [Bill 2]
Moved, "That the Bill be now read 2°" (*Mr. Gathorne Hardy*) *Nov* 25, 168; after short debate, Bill read 2°
Committee; Report *Nov* 28, 407
Considered as amended * *Nov* 29
Read 3° * *Nov* 30
l. Read 1ª * (*The Lord Clinton*) *Dec* 2 (No. 4)
Moved, "That the Bill be now read 2ª" (*The Lord Clinton*) *Dec* 3, 528; after short debate, Bill read 2ª
Committee; Report *Dec* 5, 575 (No. 8)
Read 3ª * *Dec* 6
c. Lords' Amendts. considered *Dec* 6, 652
After short debate, Amendt. to leave out "in respect of the carriage of lamps by hackney carriages" (*Mr. Ayrton*); Question, "That the words, &c." put, and agreed to
Lords Amendts. agreed to
l. Royal Assent *Dec* 7 [31 *Vict.* c. 5]

Metropolitan Tramways Bill (*by Order*)
c. Moved, "That the Bill be now read 2°" *Mar* 5, 1109
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Harvey Lewis*); after short debate, Question, "That 'now,' &c." put, and negatived; Bill put off for six months

Mexico—Diplomatic Relations with
Question, Mr. Thomas Baring; Answer, Lord Stanley *Feb* 21, 1007

Military Reserve Funds
Select Committee appointed, "to inquire into the origin of the Military Reserve Funds, the sources from which they are derived, and the objects to which they are applied" (*Lord Hotham*) *Feb* 17, 850; List of the Committee

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Miller, Mr. W., *Leith, &c.*
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Mills, Mr. J. Remington, *Wycombe* (*Chepping*)
- Metropolis Subways, 2R. 1280
- West Indies—Ecclesiastical Establishments in the, 1003

Mines Assessment Bill
(*Mr. Percy Wyndham, Mr. Cavendish Bentinck, Mr. Henderson*)
c. Ordered ; read 1° * *Nov* 27 [Bill 11]

Mitford, Mr. W. T., *Midhurst*
- Capital Punishment within Prisons, Leave, 996

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- Bankruptcy, 988

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- Court of Session (Scotland), Leave, 1088
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- Question, Colonel Sykes ; Answer, Mr. Stephen Cave *Dec* 5, 601

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- Ireland — State of, Motion for Committee, Motion for Adjournment, 1675, 1688

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- Art Catalogue, Publication of the, 1218, 1219
- Cattle Plague, 92, 105 ;—Outbreak in Berwickshire, 419 ;—In Norfolk, 1226 ; Returns, 1287
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- Privy Council, Medical Officer of the, 1812

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- Postal—Communication with the East—New Contract, 157

Mowbray, Right Hon. J. R. (Judge Advocate General), *Durham City*
- Dean and Chapter of Westminster, Estates of the, 641
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- Question, Mr. Ewart ; Answer, Mr. Gathorne Hardy *Feb* 20, 989

Murphy, Mr. N. D., *Cork City*
- Sale of Liquors on Sunday (Ireland), 2R. 1145

Mutiny Bill
- Questions, Mr. Darby Griffith, Mr. Otway, Captain Vivian, Mr. Sandford ; Answers, Sir John Pakington *Mar* 17, 1815

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- *Captain Roux's Sheathing for Iron Vessels*, Question, Sir George Stucley ; Answer, Mr. Corry *Nov* 28, 330
- "*Chichester,*" *Training Ship*, Question, Mr. Hayter ; Answer, Mr. Corry *Dec* 3, 542
- *Dockyard Commission Report*, Question, Mr. Childers ; Answer, Lord Henry Lennox *Mar* 13, 1595
- *Greenwich Hospital, &c.*, Question, Mr. Seely ; Answer, Lord Henry Lennox *Mar* 5, 1114
- *Naval Chaplains*, Question, Mr. Eykyn ; Answer, Mr. Corry *Dec* 3, 536
- *Naval Commissions—List of Reserved Captains*, Question, Mr. White ; Answer, Mr. Corry *Mar* 16, 1680
- *Naval Courts Martial—Commission*, Question, Mr. Stone ; Answer, Mr. Corry *Mar* 9, 1225
- *Royal Dockyards—Iron Ballast*, Observations, The Duke of Somerset *Feb* 24, 1038
  - Motion for "Return of the Number of Tons of Iron Ballast sold from the Royal Dockyards since January 1867 ; Amount of Money received for this Iron, and paid into Treasury" (*The Duke of Somerset*) *Mar* 9, 1212
  - Question, Mr. Baxter ; Answer, Mr. Corry *Mar* 9, 1219
- *Royal Dockyards*, Amendt. on Committee of Supply *Mar* 20, To leave out from "That," and add "in the opinion of this House, the number of Dockyards ought to be diminished" (*Mr. Graves*) *Mar* 20, 2034 ; Question, "That the words, &c. ;" after short debate, Amendt. withdrawn
- *Wooden Ships*, Motion for "A List of all the wooden Line-of-battle Ships and Frigates, together with amount of their tonnage and horse-power ; their original value per ton, and price of engines" [and other Returns] (*Captain Mackinnon*) *Mar* 19, 1952 ; after short debate, Motion withdrawn

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- Coal Mines, Regulation of, 941
- Compulsory Church Rates Abolition, Comm. *add. cl.* 1429
- Ireland — State of, Motion for Committee, Amendt. 1314
- Life Policies Nomination, 2R. 955
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For Rutland, *v.* Hon. Gilbert Henry Heathcote, called up to the House of Peers
For Leicester County (Southern Division), *v.* Charles William Packe, esq., deceased
For Manchester, *v.* Edward James, esq., deceased
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Nov 25, 1867—*For* Thetford, *v.* The Hon. Alexander Hugh Baring, Chiltern Hundreds
Feb 13, 1868 — *For* Westmorland, *v.* Hon. Henry Cecil Lowther, deceased
For Kirkcudbright, *v.* James Mackie, esq., deceased
For Stoke-upon-Trent, *v.* Alexander James Beresford Beresford Hope, esq., Manor of Northstead
For Cambridge University, *v.* Sir Charles Jasper Selwyn, knight, one of the Judges of the Court of Appeal in Chancery
For Helston, *v.* William Baliol Brett, esq., Solicitor General
Feb 21—*For* Argyllshire, *v.* Alexander Struthers Finlay, esq., Chiltern Hundreds
Feb 28—*For* Northampton County (Northern Division), *v.* George Ward Hunt, esq., Chancellor of the Exchequer
Mar 12—*For* Huddersfield, *v.* Lieutenant-Colonel Thomas Pearson Crosland, deceased
Mar 19—*For* Coventry, *v.* Henry Mather Jackson, esq., void Election

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Nov 19, 1867 — Viscount Burke, *Galway County*
Nov 20—Mathew William Thompson, esq., *Bradford*
Nov 29—Jacob Bright, esq., *Manchester* [Affirmation]
Dec 2—Thomas Tertius Paget, esq., *Leicester County* (*Southern Division*)
Dec 3—Right Hon. Edward Strathearn Gordon, *Thetford*
Feb 13, 1868—Henry Finch, esq., *Rutlandshire*
William Lowther, esq., *Westmorland*
Feb 18—Wellwood Herries Maxwell, esq., *Kirkcudbrightshire*
Feb 21—Right Hon. Robert Richard Warren, *The College of the Holy Trinity, Dublin*
William Baliol Brett, esq., *Helston*
Feb 24—George Melly, esq., *Stoke-upon-Trent*
Feb 25—Alexander James Beresford Beresford Hope, esq., *Cambridge University*
Mar 5—The Marquess of Lorne, *Argyllshire*
Mar 9—Right Hon. George Ward Hunt, *Northampton County* (*Northern Division*)

New Zealand, British Regiments in
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[H.L.] (*The Marquess of Clanricarde*)
l. Presented ; read 1ª * *Mar* 10 (No. 38)

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OTWAY, Mr. A. J., *Chatham*
Abyssinian Expedition—Egypt, 1003
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Army— Appointment of Sir H. Storks, 985
Conveyance of Troops — War Department and India Office, 337
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India—Irrigation, 646;—Governor of Bombay, 652;—East India Canal Company, 990
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Totnes, &c. Writs, 3R. 546

Outlawries Bill
c. Read 1° * *Nov* 19

Oxford and Cambridge Universities Bill
(*Mr. Coleridge, Mr. Bouverie, Mr. Grant Duff*)
c. Committee *Feb* 18, 926
Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to repeal certain Tests and alter certain Statutes affecting the Constitution of the Universities of Oxford and Cambridge
Resolution reported; Bill ordered; read 1° *
[Bill 30]

Oyster and Mussel Fisheries Bill
(*Mr. Stephen Cave, Mr. Sclater-Booth*)
c. Motion for Leave (*Mr. Stephen Cave*) *Mar* 9, 1280
Bill ordered; read 1° * [Bill 54]
Read 2° * *Mar* 16

PAKINGTON, Right Hon. Sir J. S. (Secretary of State for War), *Droitwich*
Abyssinian Expedition—Consul Cameron, 104
Contract with Messrs Wetherell, 336
Purchase of Mules in Abyssinia, 1223
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Army—Artillery—Conversion of Guns, 430
Breech Loading Rifles, 143, 144, 1225
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Clothing, Tenders for, 990
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County Courts (Admiralty Jurisdiction), 2R. 1828
Election Petitions and Corrupt Practices at Elections, Leave, 712
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Pamphlets, Exemption of Small, from Security
Question, Mr. Craufurd; Answer, The Attorney General *Mar* 20, 1974

Paris Universal Exhibition, 1867, *Purchases*
Question, Mr. Layard; Answer, Lord Robert Montagu *Nov* 25, 167

Parliament, Meeting of the
The Session of Parliament opened by COMMISSION *Nov* 19, 1; The LORD CHANCELLOR delivered

Her Majesty's Most Gracious Speech
LORDS—
ADDRESS TO HER MAJESTY ON THE LORDS COMMISSIONERS' SPEECH moved by The Earl BROWNLOW (the Motion being seconded by The Lord HYLTON), and, after long debate, Address agreed to, *Nemine Dissentiente Nov* 19, 6
HER MAJESTY'S ANSWER TO THE ADDRESS reported *Nov* 21, 103
Chairman of Committees—The Lord Redesdale appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session *Nov* 19
Appeal Committee—appointed *Nov* 19
Committee for Privileges—appointed *Nov* 19
Sub-Committee for the Journals — appointed *Nov* 19
Adjournment for the Christmas Recess, Statement, The Earl of Derby *Dec* 3, 527
Resignation of the Earl of Derby, Ministerial Statement, The Earl of Malmesbury *Feb* 25, 1095
Business of the House, Question, Lord Stanley of Alderley; Answer, The Lord Chancellor *Feb* 27, 1099
Re-construction of the Ministry—Ministerial Statement, The Earl of Malmesbury; debate thereon *Mar* 5, 1104
Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod—Select Committee on, appointed and nominated; List of the Committee *Mar* 17, 1796
Proxies, Use of, Question, Earl Stanhope; Answer, The Earl of Malmesbury *Mar* 20, 1954

Private Bills
Ordered, That this House will not receive any Petition for a Private Bill after Monday the 23rd of March [and other Orders] *Feb* 13, 689
Opposed Private Bills, Committee appointed and nominated; List of the Committee *Feb* 24, 1070
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All Petitions relating to Standing Orders which shall be presented during the present Session referred to the Standing Order Committee unless otherwise ordered *Feb* 24, 1070

COMMONS—
MEETING OF THE PARLIAMENT *Nov* 19
THE LORDS COMMISSIONERS' SPEECH reported; Resolution for an humble ADDRESS thereon moved by Mr. HART DYKE (the Motion being seconded by Colonel HOGG) *Nov* 19, 91; after long debate, Motion agreed to; and a Committee appointed to draw up the said Address

[*cont.*

Parliament—Commons—cont.

Report of Address brought up, and read; after short debate, agreed to; to be presented by Privy Councillors; to be considered To-morrow Nov 20, 93

Her Majesty's Answer to the Address reported Nov 21, 129

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Printing—Select Committee appointed Nov 21, 129

Public Petitions—Select Committee appointed and nominated Nov 22, 153

Controverted Elections, General Committee of Elections appointed Nov 26, 176

Trial of Election Petitions, Question, Mr. Knatchbull-Hugessen; Answer, The Chancellor of the Exchequer Feb 14, 728

Public Accounts—Committee of Public Accounts nominated; List of the Committee Feb 14, 757

Business of the House

Order of Business, Statement, Lord Stanley Dec 3, 545

Easter Vacation, Question, Mr. Whitbread; Answer, Mr. Disraeli Mar 19, 1892

House of Commons' Arrangements Committee, Question, Mr. Bazley; Answer, Mr. Headlam, Dec 2, [illegible]

Moved, That a Select Committee be appointed, "to consider whether any alteration can be made in the arrangements of the House of Commons, so as to enable a greater number of Members to hear and take part in the proceedings; and to consider the arrangement of the several rooms and offices attached to the House, and the means of access to the same, with a view to the greater convenience of Members in the discharge of their duties, and how better accommodation can be provided within the precincts of the House for the transaction of Departmental Business, during the Sittings of the House, by Members holding Offices in the Government" (*Mr. Headlam*) Feb 19, 983; after short debate, Motion agreed to; List of the Committee

Privilege and Order

Committee for Privileges—appointed Nov 19

Production of Public Documents—Observations, Mr. Darby Griffith; Reply, Mr. Layard Dec 6, 666

Cambridge University Election—Interference of Peers, Question, Mr. Whitbread; Answer, Sir W. Stirling-Maxwell Feb 17, 801

The Earl of Hardwicke and the Cambridge Registration, Question, Mr. Craufurd; Answer, Mr. Disraeli Mar 20, 1975

Private Bills

Committee of Selection nominated; List of the Committee Feb 21, 1011

Private Bill Legislation—Standing Orders—Moved, "That the Committee of Selection may, if they think fit, refer any Private Bills to the Referees, instead of to a Committee of the House, with power to the Referees to inquire into the whole subject matter of such Bills, and to report them, with or without Amendments, to the House" (*Mr. Dodson*) Feb 18, 862; after debate, Debate adjourned till Tuesday, 3rd March

Debate resumed Mar 17, 1797; Question again proposed; Amendt. to leave out from the word "may" to the end of the Question, in order to add the words "refer any opposed Private Bill, or any Group of such Bills, to a Committee consisting of Four Members and a Referee" (*Lord Hotham*); Question, "That the words, &c.;" after debate, Amendt. and Motion withdrawn; Moved, "That the Committee of Selection may refer any opposed Private Bill, or any Group of such Bills, to a Committee consisting of Four Members and a Referee" (*Lord Hotham*); Amendt. to leave out "Four," and insert "Three" (*Mr. Milner Gibson*); Question, "That the word 'Four,' &c.;" A. 162, N. 159; M. 3; main Question put, and agreed to

Standing Orders 93, 95, 96, and 97 repealed Mar 17, 1811

Standing Order 131; Consideration deferred till Tuesday next

Resignation of the Earl of Derby—Ministerial Statement, Lord Stanley Feb 25, 1097

Re-construction of the Ministry—Ministerial Statement, Lord Stanley Feb 28, 1100; Ministerial Statement, Mr. Disraeli Mar 5, 1116

Standing Orders, Select Commiteee on, nominated; List of the Committee Feb 17, 850

The New Houses—Statue to Oliver Cromwell, Question, Mr. Candlish; Answer, Lord John Manners Mar 12, 1450—*Cartoon in Westminster Hall*, Question, Mr. Monk; Answer, Lord John Manners Mar 16, 1685—*New Palace Yard, Entrance by*, Question, Mr. Thomson Hankey; Answer, Lord John Manners Mar 6, 1150

Patten, Right Hon. Colonel J. W. († Chancellor of the Duchy of Lancaster), *Lancashire, N.*

Duchy of Lancaster, 649

† Private Bill Legislation, Res. 1798, 1810

Paull, Mr. H., *St. Ives*

Metropolis Subways, 2R. 1278

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Pease, Mr. J. W., *Durham, S.*

Compulsory Church Rates Abolition, Comm. *add. cl.* 1428

Metropolitan Tramways, 2R. 1112

Spirit, Wine, and Beer Licences, 331

Petit Juries (Ireland) Bill

(*Mr. Attorney General for Ireland, The Earl of Mayo*)

c. Ordered; read 1° * Mar 19 [Bill 70]

PIM, Mr. J., *Dublin City*
Habeas Corpus Suspension (Ireland) Act Continuance, Comm. *add. cl.* 939
Landed Property Improvement (Ireland), Leave, 928
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Plate, War in the River
Question, Mr. Maguire; Answer, Lord Stanley *Dec* 6, 652

Poor Law
Bethnal Green Workhouse, Question, Mr. Sherriff; Answers, Mr. Gathorne Hardy, Mr. Sclater-Booth *Mar* 12, 1453
Casual and Vagrant Poor, Question, Lord Elcho; Answer, Mr. Sclater-Booth *Dec* 6, 651; Question, Mr. Waldegrave-Leslie; Answer, Mr. Gathorne Hardy *Mar* 12, 1450
Clifton and Bedminster Workhouse Infirmaries, Question, Mr. Goschen; Answer, Mr. Sclater-Booth *Nov* 25, 165
Distress in East London, Question, Viscount Enfield; Answer, Mr. Sclater-Booth *Dec* 6, 644
Lambeth Workhouse—Mr. G. Catch, Amendt. on Committee of Supply *Mar* 20, To leave out from "That," and add "there be laid before this House, Copies of the Evidence taken by Mr. Farnell at the inquiry held at St. Mary's, Newington, in the spring of 1866, and of the Correspondence between the Newington Board and the Poor Law Board which led to the removal of G. Catch from the office he then held" (*Mr. Percy Wyndham*), 2046; Question, "That the words, &c.;" after short debate, Amendt. withdrawn
Pauper Idiots and Lunatics, Question, Lord Eustace Cecil; Answer, Sir Michael Hicks-Beach *Mar* 19, 1887
Poor Law, Consolidation of the, Question, Mr. Candlish; Answer, Mr. Sclater-Booth *Nov* 25, 164
Poor Rates Assessment, &c., Select Committee appointed, "to inquire into the assessment and collection of Poor Rates and other local Rates and Taxes in England and Wales" (*Mr. Ayrton*) *Mar* 10, 1396; List of the Committee
St. Luke's Parish, Guardians of, Question, Mr. Childers; Answer, Mr. Sclater-Booth *Dec* 6, 650
Union Workhouses and Infirmaries, Motion for Papers (*The Earl of Devon*) *Nov* 28, 315; after short debate, Motion agreed to
Walsall Workhouse, Question, Mr. C. Forster; Answer, Mr. Sclater-Booth *Dec* 5, 631

Poor Relief Bill [H.L.] (*The Earl of Devon*)
l. Presented; read 1ª * *Mar* 13 (No. 39)

Portland Convict Prison
Question, Captain Vivian; Answer, Mr. G. Hardy *Nov* 26, 179

PORTMAN, Lord
Charge of the Bishop of Salisbury, 130, 132, 137, 140

Portugal, Commercial Treaty with
Question, Colonel Barttelot; Answer, Lord Stanley *Nov* 28, 331

Post Office
Abyssinia, Postage from, Question, Mr. Butler; Answer, Mr. Sclater-Booth *Mar* 5, 1115
Australian Mails, Question, Mr. Verner; Answer, Mr. Sclater-Booth *Mar* 20, 1979
Communication with Malta, Question, Sir George Bowyer; Answer, Mr. Adderley *Feb* 17, 801; *Feb* 28, 1102; Question, Sir George Bowyer; Answer, Mr. Sclater-Booth *Mar* 9, 1226
Contract for French Mails—Mr. Churchward, Question, Mr. Taylor; Answer, Mr. Hunt *Feb* 24, 1072
Halifax, Bermuda, and St. Thomas Mails, Moved, "That the Contract entered into with Mr. W. Cunard for the conveyance of Mails between Halifax, Bermuda, and St. Thomas, be approved" (*Mr. Hunt*) *Dec* 5, 632; after short debate, Motion agreed to
India, China, and Japan Mails—Contract with the Peninsular and Oriental Steam Navigation Company, Question, Lord Stanley of Alderley; Answer, The Duke of Montrose *Nov* 25, 157
Moved, "That the Contract for the Conveyance of Mails between this Country, India, China, and Japan, with the Peninsular and Oriental Steam Navigation Company be approved" (*Mr. Hunt*) *Nov* 29, 450; after long debate, Question put; A. 55, N. 13; M. 42
National Steam Ship Company, The, Question, Mr. Seely; Answer, Mr. Hunt *Dec* 5, 604
Postage Rates to India, Question, Sir Henry Rawlinson; Answer, Mr. Hunt *Nov* 25, 167
Postal Communication with the United States—The Cunard Contract, Question, Mr. Graham; Answer, Mr. Hunt *Nov* 28, 333
—Queenstown, Question, Mr. Maguire; Answer, Mr. Hunt *Nov* 29, 418
Postal Subsidies, Amendt. on Committee of Supply *Mar* 20, To leave out from "That" and add "in the opinion of this House, no Postal Subsidies in the form of a fixed payment, and not dependent on the number of letters and newspapers carried, should be granted where ordinary traffic supports several lines of passenger steamers as is the case between this country and the United States of America" (*Mr. Baxter*), 2010; Question, "That the words, &c.;" after short debate, Amendt. withdrawn
United States Mails, Question, Mr. Baxter; Answer, Mr. Sclater-Booth *Mar* 16, 1685
United States, Postal Service with, Obervations, Mr. Ayrton; short debate thereon *Dec* 7, 678
United States, Postal Treaty with, Question, Mr. Baxter; Answer, Mr. Hunt *Feb* 20, 987
West India Mails—Island of St. Thomas, Question, Mr. Gilpin; Answer, Mr. Hunt *Dec* 2, 508; Questions, Mr. Gilpin, Mr. Kinnaird; Answer, Mr. Hunt *Dec* 6, 665; Question, Mr. Kinnaird; Answer, Mr. Adderley *Feb* 14, 731

POTTER, Mr. T. Bayley, *Rochdale*
Army—Perth Barracks, 329
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POWELL, Mr. F. S., *Cambridge*
Army—Shoeburyness Experiments, 1813
Artizans' and Labourers' Dwellings, 2R. 1431
Compulsory Church Rates Abolition, Comm. *cl.* 4, 1417
Crete—Disturbances in, 165
Lee River Conservancy, Leave, 999
Sale of Liquors on Sunday, 2R. 1860

Private Bills—see Parliament

Privy Council, Medical Officer of the
Question, Sir J. Clarke Jervoise; Answer, Lord Robert Montagu *Mar* 17, 1812

Probate Duty on Leasehold Property
Question, Mr. Kinnaird; Answer, Mr. Hunt *Dec* 6, 648; *Feb* 14, 729

Promissory Oaths Bill
(*The Lord Chancellor*)
l. Presented; read 1ª *Feb* 13, 689 (No. 10)
Moved, "That the Bill be now read 2ª" (*The Lord Chancellor*) *Feb* 18, 851; after short debate, Bill read 2ª, and referred to a Select Committee; List of the Committee, 858

Public Departments (Extra Receipts) Bill
(*Mr. Hunt, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1° * *Dec* 7 [Bill 26]
Moved, "That the Bill be now read 2°" (*Mr. Hunt*) *Feb* 13, 692; Bill read 2°
Committee *; Report *Feb* 17
Read 3° * *Feb* 24
l. Read 1ª * (*The Lord Clinton*) *Feb* 24
Read 2ª * *Mar* 5 (No. 25)
Committee *; Report *Mar* 9
Read 3ª * *Mar* 10
Royal Assent *Mar* 30 [31 *Vict.* c. 9]

Public Schools Bill
(*Mr. Walpole, Sir Stafford Northcote, Mr. Secretary Gathorne Hardy*)
c. Motion for Leave (*Mr. Walpole*) *Dec* 5, 634
Bill ordered, after short debate; read 1° *
Moved, "That the Bill be now read 2°" (*Mr. Walpole*) *Feb* 14, 742; after long debate, Bill read 2° [Bill 24]
Question, Mr. Ayrton; Answer Mr. Walpole *Feb* 24, 1073; Question, Mr. Newdegate; Answer, Mr. Walpole *Feb* 28, 1101; Question, Mr. Goschen; Answer, Mr. Walpole *Mar* 20, 1982
Committee *Mar* 20, 2032
Moved, "That the Bill be referred to a Select Committee" (*Mr. Walpole*); after short debate, Bill committed to a Select Committee; List of the Committee, 2033

Queensland—Labourers from the South Sea Islands
Question, Mr. Taylor; Answer, Mr. Adderley *Mar* 13, 1590

Railway and Gas Shares Bill
(*Mr. Waldegrave-Leslie, Mr. Goldney, Mr. Graham*)
c. Motion for Leave (*Mr. Waldegrave-Leslie*) *Dec* 3, 572
Bill ordered, after short debate; read 1° *
Bill withdrawn * *Mar* 5 [Bill 23]

Railways
Accidents on the Trent Valley Line, Question, Mr. Newdegate; Answer, Mr. Stephen Cave *Feb* 14, 731
Communication between Drivers and Guards, Question, Lord Stanley of Alderley; Answer, The Duke of Richmond *Dec* 5, 575
Insolvent Railway Companies, Moved, "That in case of an Insolvent Railway Company applying for an extension of time or for any other power, and where such Railway Company have applied to the Court of Chancery for a scheme of arrangement under the Railway Act of 1867, such Railway Company shall on or before the 30th of November immediately preceding the application for the Bill, deposit in the Private Bill Office a Schedule setting forth the full detailed particulars disclosing all transactions of such Company, and to answer all and every question or questions hereunder set out; [List of Questions] (*Mr. Treeby*) *Mar* 19, 1884; after short debate, Motion withdrawn
Railways (Ireland), Moved, "That an humble Address be presented to Her Majesty for, A Copy of the Instructions issued to the Commissioners appointed to inquire into the State and Value of the Railways of Ireland" (*The Marquess of Clanricarde*) *Mar* 9, 1209; after short debate, Motion withdrawn

Railways and Joint Stock Companies Bill (*Sir William Hutt, Mr. Ellice*)
c. Motion for Leave (*Sir William Hutt*) *Mar* 9, 1280
Bill ordered, after short debate; read 1° [Bill 53]

Railways (Extension of Time) Bill
(*Mr. Stephen Cave, Mr. Hunt*)
c. Motion for Leave (*Mr. Stephen Cave*) *Feb* 20, 1000
Bill ordered, after short debate; read 1° *
Read 2° * *Feb* 24 [Bill 39]
Committee *; Report *Mar* 5
Considered as amended * *Mar* 6
Read 3° * *Mar* 9
l. Read 1ª * (*The Duke of Richmond*) *Mar* 10
Moved, "That the Bill be now read 2ª" (*The Duke of Richmond*) *Mar* 16, 1675; after short debate, Bill read 2ª (No. 36)

Railways (Guards' and Passengers' Communication) Bill
(*Mr. Henry B. Sheridan, Sir Patrick O'Brien*)
c. Ordered * *Nov* 26
Read 1° * *Mar* 18 [Bill 66]

Rating of Charitable Institutions
Question, Mr. Baines; Answer, Mr. Hunt *Nov* 28, 331

RAWLINSON, Sir H. C., *Frome*
East India, Troops and Vessels (Abyssinian Expedition), Res. 383
Postal—Postage Rates to India, 167

READ, Mr. C. S., *Norfolk, E.*
Cattle Plague, 92
Compulsory Church Rates Abolition, Comm. *add. cl.* 1429

REARDEN, Mr. D. J., *Athlone*
Fenian Convicts at Manchester, 122
Fines and Fees (Ireland), 2R. 1230
Habeas Corpus Suspension (Ireland) Act Continuance, Comm. *add. cl.* 937
Habeas Corpus Suspension Acts (Ireland), Motion for a Return, 1939
Ireland—Political Prisoners, 1891
Remission of Sentences, Motion for an Address, 571
Representation of the People (Ireland), Leave, 1949
Representation of the People (Scotland), Leave, 848; 2R. 1234, 1259, 1260

REDESDALE, Lord (Chairman of Committees)
East London Museum Site, Explanation, 636, 640; Comm. 793; Report, 860
Ecclesiastical Commissioners Orders in Council, 3R. 1677, 1678
Railways (Extension of Time), 2R. 1676
Regulation of Railways, 2R. 1961, 1972

Reformatory Schools (Ireland) Bill
(*The Earl of Mayo, Mr. Attorney General for Ireland*)
c. Ordered; read 1° * *Mar* 17 [Bill 65]

Registration of Writs (Scotland) Bill [H.L.]
(*The Lord Colonsay*)
l. Presented; read 1ª * *Feb* 17 (No. 15)
Moved, "That the Bill be now read 2ª" (*The Lord Colonsay*) *Mar* 6, 1147; Bill read 2ª
Committee *; Report *Mar* 9
Read 3ª * *Mar* 10
c. Read 1° * *Mar* 13 [Bill 62]

Registry of Deeds Office (Ireland)
Moved, That a Select Committee be appointed, "to inquire into the legal application of the surplus fines in the Office of the Registry of Deeds, Ireland" (*General Dunne*) *Feb* 24, 1077; after short debate, Question put, and negatived

Regulation of Railways Bill [H.L.]
(*The Duke of Richmond*)
l. Presented; read 1ª * *Mar* 9 (No. 34)
Moved, "That the Bill be now read 2ª" (*The Duke of Richmond*) *Mar* 20, 1955; after debate, Bill read 2ª

Religious, &c. Buildings (Sites) Bill
(*Mr. Hadfield, Mr. Bazley, Mr. Leeman, Mr. Akroyd*)
c. Ordered; read 1° * *Nov* 29 [Bill 18]

Renewable Leasehold Conversion (Ireland) Act Extension Bill
(*Mr. Gregory, Mr. George Morris*)
c. Ordered; read 1° * *Mar* 12 [Bill 61]

Representation of the People, 1867, (*England*) *Act*
Boundary Commission, Question, Mr. Beaumont; Answer, Mr. Gathorne Hardy *Feb* 14, 733; Question, Mr. Dillwyn; Answer, Mr. Gathorne Hardy *Mar* 9, 1218; Question, Mr. Monk; Answer, Mr. Gathorne Hardy *Mar* 11, 1397; Question, Lord Stanley of Alderley; Answer, The Earl of Malmesbury *Mar* 17, 1795
Compound Householders, Question, Mr. Sandford; Answer, The Chancellor of the Exchequer *Feb* 14, 730; Question, Mr. E. Hamilton; Answer, The Chancellor of the Exchequer *Feb* 17, 795; Question, Mr. Schreiber; Answer, The Chancellor of the Exchequer *Feb* 18, 886; Question, Mr. Evans; Answer, The Attorney General *Mar* 19, 1888
Compounding for Rates, Amendt. on Committee of Supply *Mar* 19, To leave out from "That" and add "in the opinion of this House, it is expedient that so much of the Reform Act of 1867 as makes occupiers liable for Poor Rates instead of owners, in respect of premises to which the system of compounding had been applied, ought to be repealed; that the name of every occupier ought to be put on the rate book, and that payment of rates by the owner, under the compounding system, ought to be deemed payment by the occupier and entitle him to the Franchise" (*Mr. James White*), 1893; Question, "That the words, &c.;" after debate, Amendt. withdrawn
Disfranchised Boroughs—Totnes, Great Yarmouth, Lancaster, and Reigate, Observations, Mr. Otway, Mr. Serjeant Gaselee *Nov* 29, 434
Parliamentary Boroughs—Payment of Rates, Question, Mr. Charles Forster; Answer, The Attorney General *Nov* 20, 437; short debate thereon
Personal Rating, Questions, Mr. Goschen, Sir William Hutt; Answers, The Attorney General *Dec* 2, 515
Ratepaying Clauses, Question, Observations, The Duke of Argyll; Answer, The Lord Chancellor *Mar* 13, 1550; long debate thereon
Small Tenements Act, Question, Sir William Hutt; Answer, The Attorney General *Nov* 25, 167

Representation of the People (Ireland) Bill
Question, Mr. Stacpoole; Answer, The Earl of Mayo *Feb* 14, 730; Question, Mr. Chichester Fortescue; Answer, Mr. Disraeli; debate thereon *Mar* 6, 1189; Question, Colonel French; Answer, Mr. Disraeli *Mar* 19, 1892

Representation of the People (Ireland) Bill (*The Earl of Mayo, Mr. Disraeli, Mr. Attorney General for Ireland*)
c. Motion for Leave (*The Earl of Mayo*) *Mar* 19, 1940
Moved, "That this House do now adjourn" (*Colonel French*); after short debate, Motion withdrawn; Bill ordered; read 1° * [Bill 71]

Representation of the People—Scotch and Irish Reform Bills
Questions, Mr. Baxter, Sir Henry Winston-Barron; Answers, The Chancellor of the Exchequer *Feb* 13, 690

Representation of the People (Scotland) Bill
(*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson*)
c. Motion for Leave (*The Lord Advocate*) *Feb* 17, 811
Bill ordered, after debate; read 1° * [Bill 29]
Question, Mr. Kinnaird; Answer, Lord Stanley *Feb* 28, 1103
Moved, "That the Bill be now read 2°" (*The Lord Advocate*) *Mar* 9, 1234
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Hadfield*); Question, "That 'now' &c.;" after debate, Amendt. withdrawn; Bill read 2°
Questions, Mr. Moncreiff, Mr. Bouverie; Answers, Mr. Disraeli *Mar* 19, 1890

Richmond, Duke of (President of the Board of Trade)
Habeas Corpus Suspension (Ireland) Act Continuance, 2R. 1065
Parliament—Business of the House, 1099
Railway Communication between Drivers and Guards, 575
Railways (Extension of Time), 2R. 1675
Railways (Ireland), Motion for an Address, 1211
Regulation of Railways, 2R. 1955

Ridley, Sir M. W., *Northumberland, N.*
Compulsory Church Rates Abolition, Comm. *add. cl.* 1430

Ritual Commission—see *Church of England*

Rivers, Pollution of
Question, Mr. Candlish; Answer, Mr. Gathorne Hardy *Feb* 24, 1072

Roebuck, Mr. J. A., *Sheffield*
Sale of Liquors on Sunday, 2R. 1853, 1865, 1868, 1869, 1871
United States—The "Alabama" Claims, Motion for an Address, 1173

Roman Catholic Prisoners—Tothill Fields House of Correction
Observations, Mr. Maguire; short debate thereon *Dec* 3, 547

Romilly, Lord
Metropolitan Streets Act (1867) Amendment, Report, *add. cl.* 577, 578

Royston, Right Hon. Viscount (Comptroller of the Household), *Cambridgeshire*
Lords Commissioners' Speech—Her Majesty's Answer, 129

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Court of Appeal Chancery (Despatch of Business) Amendment, 1R. 1038
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Sale of Liquors on Sunday Bill
(*Mr. J. A. Smith, Mr. Bazley, Mr. Baines*)
c. Ordered; read 1° * *Nov* 28 [Bill 12]
Moved, "That the Bill be now read 2°" (*Mr. J. A. Smith*) *Mar* 18, 1831
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Locke*); after long debate, Question, "That 'now,' &c." put, and agreed to; Bill read 2°
Moved, "That the Bill be referred to a Select Committee" (*Mr. Hibbert*); after short debate, Bill committed to a Select Committee; List of the Committee, 1872

Sale of Liquors on Sunday (Ireland) Bill
(*Mr. O'Reilly, Lord Cremorne, Mr. Pim*)
c. Motion for Leave (*The O'Conor Don*) *Feb* 18, 926
Bill ordered; read 1° * [Bill 31]
Moved, "That the Bill be now read 2°" (*Mr. O'Reilly*) *Mar* 5, 1144; after short debate, Bill read 2°, and committed to a Select Committee; List of the Committee, 1146

Sales of Reversions Bill
(*Sir Roundell Palmer, Sir Robert Collier*)
c. Ordered; read 1° * *Nov* 26 [Bill 8]
Read 2° * *Nov* 28
Committee *; Report *Nov* 29
Considered as amended *; Read 3° * *Nov* 30
l. Read 1ª * (*The Lord Chancellor*) *Dec* 2 (No. 5)
Moved, "That the Bill be now read 2ª" (*The Lord Chancellor*) *Dec* 3, 527; after short debate, Bill read 2ª
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The Lord Wrottesley, after the Death of his Father
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Nov 19, 1867—The Earl Annesley, a Representative Peer for Ireland, in the room of the late Earl of Mayo

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Estimate presented,—of the Sum required to be voted towards defraying the Expenses of the Expedition to Abyssinia beyond the ordinary Grants of Parliament [by Command]; referred to the Committee of Supply [No. 8] *Nov* 25, 173
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Considered in Committee *Mar* 17, 1827—Army Estimates—(1.) £48,479 8*s.* 8*d.*, Excesses of Army Expenditure; (2.) £90,619 13*s.* 9*d.*, Excess of Naval Expenditure; £6,000,000, on account of Army Services *Mar* 19, 1937; after short debate, Motion withdrawn
[*cont.*

Supply—cont.
Considered in Committee *Mar* 19, 1938—NAVY ESTIMATES—(1.) 67,120 Men and Boys, Sea and Coast Guard Services, including 14,700 Royal Marines, 1939; after short debate, Vote agreed to; (2.) £2,000,000, on account for Navy Services; agreed to
Considered in Committee *Mar* 20, 2050—ARMY ESTIMATES—£4,000,000 on account, Army Services; Vote agreed to

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c. Ordered; read 1° * *Mar* 18 [Bill 67]

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Tenure (Ireland) Bill [H.L.] (*The Marquess of Clanricarde*)
l. Presented; read 1ª, after short debate *Feb* 24, 1039 (No. 23)
Question, The Earl of Malmesbury; Answer, The Marquess of Clanricarde *Mar* 5, 1108
Moved, "That the Bill be now read 2ª" (*The Marquess of Clanricarde*) *Mar* 12, 1432; after debate, Bill read 2ª, and referred to a Select Committee; List of the Committee *Mar* 13, 1590

Titles to Land Consolidation (Scotland) Bill (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir Graham Montgomery*)
c. Motion for Leave (*The Lord Advocate*) *Mar* 9, 1283
Bill ordered; read 1° * [Bill 57]

TORRENS, Mr. W. T. McCullagh, *Finsbury*
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Totnes, &c. Writs Bill (*Mr. Attorney General, Mr. Solicitor General*)
c. Motion for Leave (*Mr. Attorney General*) *Dec* 2, 522
Bill ordered, after debate; read 1° * [Bill 20]
Moved, "That the Bill be now read 2°" (*Mr. Solicitor General*) *Dec* 3, 546; after short debate, Bill read 2°
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Moved, "That the Bill be now read 3°;" after short debate, Bill read 3°
l. Read 1ª * (*The Earl of Derby*) *Dec* 3 (No. 7)
Moved, "That the Bill be now read 2ª" (*The Earl of Derby*) *Dec* 4, 573; after short debate, Bill read 2ª; Committee negatived
Read 3ª * *Dec* 5
Royal Assent *Dec* 7 [31 *Vict.* c. 6]

TRACY, Hon. C. R. D. HANBURY-, *Montgomery*
Army—Report of Ordnance Select Committee, 1456

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Turnpike Trusts Bill (*Mr. Knatchbull-Hugessen, Mr. George Clive, Mr. Goldney, Mr. Ayrton*)
c. Ordered; read 1° * *Nov* 26 [Bill 9]

United States
"*Alabama*" *Claims, The*, Amendt. on Committee of Supply *Mar* 6, To leave out from "That" and add "an humble Address be presented to Her Majesty, that She will be

[*cont.*

United States—cont.
graciously pleased to give directions that there be laid before this House, Copy of any further Papers relative to the Negotiations with the United States Government for Arbitration of the Alabama Claims" (*Mr. Shaw-Lefevre*), 1150; Question, "That the words, &c.;" after long debate, Amendt. withdrawn
"*Lizzie Lina*," *Case of the*, Question, Mr. P. A. Taylor; Answer, Lord Stanley *Mar* 9, 1219
Relations with the, Question, Mr. Watkin; Answer, Lord Stanley *Nov* 28, 330; *Feb* 13, 690
"*Springbok*," *Case of the*, Question, Mr. Bentinck; Answer, Lord Stanley *Mar* 17, 1812 (See *Post Office*)

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Address moved for, Copy or Extract of further Correspondence respecting and arising from the Non-enactment of the Appropriation Act in Victoria and the Recall of the Governor of the Colony, since the Letter from the Right Honourable C. B. Adderley, M.P., to Sir C. Darling, K.C.B., dated 7th March 1867, with the Enclosure (*The Lord Lyveden*) *Mar* 5, 1108; Motion agreed to

VIVIAN, Hon. Captain J. C. W., *Truro*
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Considered in Committee—£2,000,000, Consolidated Fund *Nov* 28, 359; Resolution reported and agreed to; Bill ordered *Nov* 29
£362,398 19*s.* 9*d.*, Consolidated Fund *Mar* 17, 1827; Resolution reported and agreed to; Bill ordered *Mar* 18, 1872

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c. Motion for Leave (*Mr. Ewart*) *Feb* 24, 1074
Bill ordered, after short debate ; read 1° * [Bill 44]

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